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Presented by

Dr. Baridbaran Mukerji

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19783

Minutes of Evidence
of Trial of Hastings
vol. 2

19783 R



Die Joris, 28^o Maii 1789.

THE Lords being in their Places, the House resumed, the usual Proclamation made, and the Defendant appearing at the Bar, the Lord Chancellor acquainted the Managers for the Commons they might proceed to make good their Charge.

The Managers for the Commons stated, they should now proceed to prove a Commission given to Mr. Goring to go to Moorshedabad, to enquire into Embezzlements made by the Munny Begum; in order to introduce which, they would enter a Debate that gave Rise to the above Commission, recorded on a Consultation of the 9th of May 1775.

The Counsel for the Defendant objected to this Evidence, unless the Managers for the Commons would state some Act of Demeanor on the Part of Mr. Hastings, which would oblige them to produce it.

The Managers for the Commons stated, That the Circumstances under which they offered this Evidence were; That information having been laid before the Board of Embezzlements by the Munny Begum to a considerable Amount, a Motion was made for an Enquiry into the same; in the Debate upon which Mr. Hastings took Part. That the Result was, a Commission to Mr. Goring to institute such Enquiry: That in the Course of it Circumstances came out, fixing Mr. Hastings with the Receipt of a Lack and a Half of Rupees; Information of which being transmitted to the Board, Mr. Hastings acted upon it, by putting Questions to the Munny Begum relative to the Receipt of the above Sum.

Read, from Book 7, Page 2169, already delivered in, the following Extract of a Consultation of the 9th of May 1775.

Fort William, the 9th May 1775.

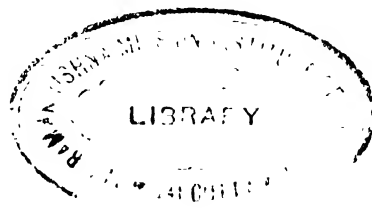
At a Council; Present,
The Honourable Warren Hastings, Governor General, President;
Lieutenant General John Clavering,
The Honourable George Monton,
Philip Francis Esquire.
Mr. Barwell indisposed.

Secret Dept.
Tuesday.

“ General Clavering.—I move, that a Gentleman of proper Rank in the Service be appointed to go to the City, to acquaint the Nabob and the Bhegun with this Information that has been given to the Board, and to demand of her an Order to the proper Officers to deliver over to him the Nizamut, the Bhela, and the Confirmation Accounts, from the Middle of April, in the Year 1772, to the Middle of August 1772; and that the Intentions of Government, of investigating these Accounts, may be effectually carried into Execution, that the Begum be divested of the Office of Guardian to the Nabob, that her Influence over the Officers of the Household may not prevent them from giving true Evidence, when called upon for any Explanation of the above Accounts; and that he do also demand of her the Accounts from that Time to the last Day of the Year 1781, or the latest Period to which they can be closed.

Mr. Francis.—The Charge against the Bhegun, in my Opinion, comes before the Board with a Degree of Authenticity sufficient to warrant my agreeing to the Motion. The supposed Embezzlement is for a very considerable Sum; and with respect to the dispossessing her of her Employment, I apprehend that it would be difficult, if not impossible, to obtain the necessary Evidence from the Nabob's Officers to verify this or any other Charge against the Bhegun, while she herself continued in full Power and Authority over the Household.

“ Colonel



“ Colonel Monson.—The Account now before the Board, bears those Marks of Authenticity, which I think justifies me in requiring an Investigation to be made into them. The supposed Embezzlement is for a considerable Sum; and I think there is a Possibility, by a minute Inspection into these Accounts, to shew that the late Administration may have been imposed upon in the Balances claimed by the Bhegum, at settling the Account in August 1772; I think it necessary that the Bhegum should be displaced from her present Station, as the Influence she would have by continuing in it, might prevent the Gentleman employed upon this Service from obtaining that Information which is necessary to ascertain the Account.

“ The Governor-General.—I see no Cause to enter into an Examination of the Bhegum's Accounts, and must disagree with the Gentlemen of the Majority in their Opinion of the Authenticity of the Accounts produced by Mr. Grant and Nuned Roy; I see not the least Marks of any Authenticity in them, but regard them as simple unsupported Assertions; and even granting that the Accounts were true, I do not see that they can prove any Mismanagement in the Bhegum, unless further Proofs could also be obtained, that the Savings made in the Payments in the Household were secreted for her own separate Use, and not for that of the Nabob, her Ward. I am well informed, that in all Payments made to the Servants and Dependants, not only of the Nabob, but of all other Persons of his Rank and Station, considerable Deductions are always made from the Sums nominally due. It does not appear of what Nature the Arrears are, with which the Bhegum is charged, nor whether they arise from the customary Deductions to which I have alluded; nor can I conceive the Bhegum, who has neither Children or Connections without the Walls of the Nabob's Palace, should secrete and embezzle so great a Proportion of the Money entrusted to her Charge, for the Benefit of the Nabob; nevertheless, I should not object to the Requisition of her Accounts, if it went no farther, believing that the Issue of an Investigation into them, if fairly made, will do her Credit: But I object, and solemnly protest, against the Removal of a Person of her Rank, Character, and Authority, from the Office which she now holds, and her Appointment to which was confirmed by the most complete Approbation of the Court of Directors, without having committed any Crime, or done any Thing which could possibly be imputed to her as a Disqualification.

“ General Clavering.—If the Accounts which have been produced to this Board are authentic, of which there can be very little Doubt, being the Acknowledgment that was made of them by Akbar Ally Cawn, the Eunuch of the Household, who has, I understand, the chief Management of her Affairs, and the Solicitude that both he and the Bhegum shewed to get the Accounts into her Hands, I think it is a sufficient Ground for this Board to proceed on; for every Step that is proposed to be taken, either for the Discovery of the fraudulent Statement that must have been made of the Nabob's Debts when his Accounts were settled, or of the Use which she has since made of the Balances which she must have received: In either Case it is necessary to divest her of her Authority; and if upon Examination of the Account it shall appear, as the Governor General proposes, that she administered to the Nabob's Affairs with Integrity, I shall be as ready to restore her to her Office again, provided that it shall appear requisite to do so hereafter; the Age and Circumstances of the Nabob being considered.

“ Mr. Francis.—I beg Leave to observe, that Mr. Grant was desirous of confirming upon Oath, the Assertion he made to this Board concerning the Application made to him by the Bhegum's chief Eunuch, for the Recovery of the Papers. After what I have heard and seen of these Papers, I can form no Supposition of a Possibility of their being forged.

“ Resolved, That the Board agree to the Motion of General Clavering, for an Examination of the Accounts therein specified, and for divesting Munny Begum of the Office of Guardian to the Nabob, that this Examination may be made with the greater Certainty, by the Officers of the Nabob's Household being unbiassed by the Influence she must otherwise have.

“ Mr. Francis.—I move that Mr. Goring be appointed to repair to the City, to execute the preceding Resolution of the Board, and to deliver over the Accounts to Mr. Maxwell, Mr. Anderson, and Mr. Grant; that these Gentlemen be appointed to examine them, and to report to the Board what Balance appears by those Accounts to be due to the Nabob, or remains unaccounted for by the Bhegum, with such other Observations as they may think material for the Information of the Board: That they be allowed such a Number of Mohrirs as they may deem necessary to assist them in the Examination of the Accounts, and that Nuned Roy be appointed Chief of the Mohorirs.

“ Governor General.—I object to the Deputation of Mr. Goring, not understanding what Purpose it can possibly answer.

“ The Majority of the Board agree to the Motion of Mr. Francis.

“ Colonel Monson.—I move, that the Nabob's Person and Household be delivered to the Care of the present Duan Rajah Goordals until further Orders.

“ Mr. Francis.—I agree.

“ General Clavering.—I agree.

“ Governor General.—I both object, and protest against it.

“ Resolved, That Rajah Goordals be accordingly appointed Guardian to the Nabob's Person and Household until further Orders.

" Ordered, That Mr. Goring be directed to proceed immediately to Moorshedabad, to execute the Commission above allotted to him; he is therefore instructed as follows.

" Sir,

" I am directed by the Honourable the Governor General and Council to acquaint you that they have thought proper to depute you to the City of Moorshedabad, to inform the Nabob and the Begum, that it has been represented to them, that the Sum of R' 9,67,693 : 15 : 64 appears to be now due from the Begum, either to the Nabob, or to the Servants of the Nizamut; and that the Honourable Board have therefore directed you to demand of her an Order to the proper Officers to deliver over to you the Accounts of the Nizamut Bhela, and Consummation, from the Middle of April in the Year 1764 to the Middle of August 1772, as well as the Accounts from that Time to the last Day of the Year 1781, or to the latest Period to which they can be charged.

" In order that the Intentions of Government of investigating these Accounts may be carried into Execution, the Board have been pleased to divest the Begum of the Office of Officer to the Nabob, that her Influence over the Officers of the Household may not prevent from giving true Evidence, when called upon, for any Explanation of the above Accounts.

" Of this Resolution of the Honourable Board you are to give Information to the Nabob, as well as the Begum, and acquaint the former, that the Care of his Person and Household be delivered to the present Duan, Rajah Goordas, until further Orders; and you will accordingly these Directions of the Board put into Execution.

" The Accounts you are to deliver over to Messrs. Maxwell, Anderson, and Grant, whom they have been pleased to appoint to investigate them.

" I have further to enjoin you to proceed to the Execution of this Duty with all possible Expedition.

" Signed, at the End of the Consultation,

Warren Hastings
Geo. Monson
Richard Barwell
P. Francis

Read, from the same Book, Page 2287, the following Extract of a Consultation, the 25th of May 1775.

" Fort William, the 25th May 1775.

" At a Council; Present,
The Honourable Warren Hastings, Governor General, President;
Lieutenant General John Clavering,
The Honourable George Monson,
Richard Barwell, } Esquires.
Philip Francis, }

" To the Honourable Warren Hastings, Governor General, &c. Council, &c.

" Honourable Sir and Sirs,

" Enclosed I send you an Account of several Sums given by the Bhegum; it is under her Seal, and was delivered me by the Nabob in her Apartments.

" May 22d 1775.

I am, &c.

(Signed)

" C. Goring."

" P. S. The Bhegum has made herself answerable to the Nabob, for any Sums that may be due to him by Etwar Ally Khan, and the Nabob has thought proper to release him from Confinement.

(Signed)

" C. Goring."

" Memorandum of Disbursements by English Gentlemen from the Nabob's Sircar, in the Bengal Year 1779.

Seal of Munny Bhegum,
Mother of the Nabob
Nudgeen Dowla deceased.

" To the Governor Mr. Hastings for an Entertainment	—	—	1,50,000
" To Mr. Middleton on Account of an Agreement entered into by Baboo Begum	—	—	1,50,000
" Dated the 21st of Rubbee			
ul awel, or 22d of May."		Rupees	3,00,000

" Honourable Sir and Sirs,

" I am desired by the Nabob and Raja Goordas to acquaint you that there is not a Rupee in his Treasury, though he has Demands on him to a very considerable Amount.

" 22d May.

(Signed)

" C. Goring." (b)

(a) Vide Appendix, N° CXVI.

(b) Vide supra, Appendix, N° CVII.

Read, also, from the same Book, Page 2293, and same Consultation, the following Extract.

" The Governor General.—As the Commission given to Mr. Goring was to receive from the Begum all the Accounts of the Nizamut for Eight Years past, and to deliver them into the Hands of Gentlemen appointed to examine and report their Contents to the Board, I desire that Mr. Goring may be asked, how he came by the Account he has now sent in his first Letter of the 22d instant, in which Two Sums only are mention'd, and said to be paid to myself and Mr. Middleton, and on what Account this partial Selection was made by him; and to desire an Explanation from the Begum of the Sum laid to my Charge, and that he will ask the Nabob or the Begum their Reasons for delivering this separate Account.

" Mr. Francis.—I think that Mr. Goring should be directed to inform the Board, whether the Delivery of this Paper was accompanied by any Explanation from the Nabob or the Begum, and if it was, that he would state every Circumstance to us.

" Mr. Barwell has no Objection to the Governor's Motion.

" Colonel Monson.—I think Mr. Goring should acquaint the Board, if the Begum gave any Explanation of the Account, and what passed between her and him when the Nabob gave it him. As for the Intention of the Nabob or Begum in delivering the Account, I think it impossible Mr. Goring can be acquainted with it, unless they have communicated their Sentiments to him. On this Subject Mr. Goring has already acquainted the Board how he came by the Paper. I therefore think it unnecessary to apply to him further on that Head; and it appears to me, that the Account is already explained; but if the Governor General desires it, the Begum may be asked for a more minute Explanation.

" General Clavering.—I think that Mr. Goring should be directed to inform the Board, Whether the Nabob or Munny Begum accompanied the Account delivered to him by any Circumstances. As the Persian Word Ziafut is said to signify Entertainment; and as, from the Declaration of Munny Begum, it appears that this Money was given to the Governor when he was at the City settling the Affairs of the Nizamut, I think it is most probable, that it must be the same Sum of one Lack and a Half, of which Mha Raja Nundcomar speaks in his Letter to this Board on the 10th of March last, in the following Words. ' The Governor, Mr. Hastings, on the Month of March 1179, went from Calcutta to Moorshedabad; he remained about Three Months at Cossimbuzar, and sometimes went into the Nabob's Palace. After Mr. Hastings returned from Moorshedabad to Calcutta, Munny Begum said to Raja Goordas, Write Word to Maha Raja Nundcomar, that it is proper and requisite to give One Lack and fifty thousand Rupees to the Governor, and beg of the Maha Raja to ask the Governor, whether it shall be sent in ready Money, or by a Bill of Exchange. I accordingly asked Mr. Hastings, who answered, I have Connections of Trade in that Part of the Country; let this Money be paid to Nurr Sing Cantoo's Brother, who is at Cossimbuzar. In Consequence of which I wrote to Raja Goordas and Munny Begum, that they should deliver the Money to Nurr Sing Cantoo's Brother. Munny Begum, with Rajah Goordas's Knowledge, in the Month of Aughun 1179, paid this Money to the Governor, Mr. Hastings, by Means of Nurr Sing aforesaid, from under the Care of Chyten Ahur, Cash-keeper to the Behala—Sonat Rupees 1,50,000.'—And therefore I am of Opinion that Mr. Goring's Instructions on this Subject should be confined to every Circumstance that passed on that Occasion.

" Agreed, That Mr. Goring be directed to inform the Board of every Circumstance which attended the Delivery of the Paper, and if any Explanation was given to the Nabob or the Begum of these Papers, to report the whole Relation, and to require of the Begum a particular Explanation of the Payment said to be made to the Governor General.

" The Governor General desires that Mr. Goring may be directed to request that the Begum will deliver her Explanation in Writing.

" Agreed, to direct Mr. Goring to act accordingly.

Signed at the End of the Consultation,

" Warren Hastings,
J. Clavering,
Geo. Monson,
Rich^d. Barwell,
P. Francis." (a)

(a) Vide supra, Appendix, N^o CVII.

Read, From Book 11, Page 38, already delivered in, the following Extract of a Consultation of the 8th of June 1775.

Fort William, 8th June 1775.

" At a Council, Present,
The Honourable Warren Hastings, Governor General, President ;
Lieutenant General John Clavering,
The Honourable George Monfort,
Richard Barwell, } Esquires.
Philip Francis, }

Secret Dept.
Thursday.

" Honourable Sir and Sirs,

" I have been favoured with your Letter of the 25th May, inclosing Extracts and Account relative to the Establishment of the Nizamut ; but observe you do not acknowledge the Receipt of mine of the 19th. In Compliance with your Orders, to explain the Delivery of the Paper containing an Account of Three Lacks of Rupees, I am to inform you, it took its Rise from a Message sent me by the Begum, requesting I would interest myself with the Nabob to have Ally Khan released to her for a few Hours, having something of Importance to communicate me, on which she wished to consult him, thinking the Service might be benefited by it. I accordingly desired the Nabob would be pleased to deliver him to my Charge, engaging to return the same Night ; which I did. I heard no more till the next Day, when the Begum requested to see his Excellency and myself, desiring Etwar Ally might attend.

" On our first Meeting, she entered into a long Detail of her Administration, endeavouring to represent it in the fairest Light ; at last she came to the Point, and told me, my urgent and repeated Remonstrances to her to be informed how the Balance arose, of which I was to engage her to pay a Half to the Governor, to feast him whilst he staid here ; and a Lack and a Half to Middleton, by the Hands of Bubboo Begum. As I looked on this no more than a Matter of Conversation, I rose to depart, but was detained by the Begum's requesting the Nabob to come to her. A Scene of Weeping and Complaint then began, which made me still more impatient to be gone, and I repeatedly sent to his Excellency for that Purpose ; he at last came out, and delivered me the Paper I sent you, declaring it was given him by the Begum to be delivered to you. If in this Affair I have exceeded my Duty, I humbly beg Pardon ; but the extraordinary Confidence you were pleased to repose in me, and the unlimited Power attending it, moved me to the utmost, that the Intent of my Appointment might not be intirely fruitless.

" I am sorry to acquaint you, from what I have already heard, that the Nabob's Affairs are in a very desperate State ; the Sheristadars have delivered me an Account from Memory (the original being fortifying and under Seal), by which it appears the Nabob is in Debt Ten Lacks of Rupees. The Particulars I hope to transmit you in a few Days.

" Enclosed I send you the Begum's Letter, and Account particular of the Three Lacks of Rupees, its Cover.

" 3d June 1775.

" I am, &c.

(Signed) C. Clavering

" From Munny Bhegum to General Clavering ; inclosed in Mr. Goring's Letter to the Governor of 3d June.

" After the usual Forms, Mr. Goring has pressed me on the Subject of the Balances ; in answer to which I informed him, that all the Particulars being on Record, would, in the Course of the Enquiry, appear from the Papers ; he accordingly received from the Nabob Mobarek ul Doulah a List of Three Lacks of Rupees, given to the Governor and Mr. Middleton ; I now send you inclosed a List of the Dates when it was presented, and through whose Means, which you will receive.

" Memorandum.

* Sic in Orig.

" For Entertainment for the Governor Amand ud Dowlah, Mr. Hastings, in consequence of a Request signed by his Highness's Rajah Goordas, and other Serishtadars, dated the 11th of Ramzan, in the 14th Sun, One Lack and Half of Rupees was delivered, through the Means of Chiton Durr, a Shroff of the Bahla Treasury, in the following Manner, viz.

On the 23d of Ramzan, to Nurfing Baboo, Cantoo Baboo's Brother,	1,00,000
On the 21st of Mohorrum, deposited by Rajah Goordas, through Chiton Durr, for Bills drawn in favour of Sobaram Bysack, on the following Houses ; viz.	
On the House of Ram Sohãe	35,000
On the House of Muttoree Sune	15,000
	<hr/>
Rupees	1,50,000

" Dated the 2d Rubbee Affanee, or 2d of June.

" Memorandum

" Memorandum of Sums given to Mr. Middleton, through Chiton Durr, Shroff of the Bahla Treasury, for which Baboo Bhegum gave a Receipt under her own Seal, dated the 5th of Shaban, of the 14th Sun, in the following Manner; viz.

" On the 5th of Shabân, into the Hands of Sumboo Baboo, Son-in-law to Santiram Sing	1,00,000
" On the 19th of Zeikaida, into the Hands of Sumboo Baboo	25,000
" On the 21st of Zehedja, in the 16th Sun, into the Hands of Sumboo Baboo	25,000
	<hr/>
	Rupees 1,50,000

" Dated the 2d Rubbee Alliance, or 2d June.

" Ordered, That the Inclosures in the Letters of the 27th May and 1st of June be entered after Consultation.

" The Governor General begs Leave to make the following Remark to the Board.

" As neither Mr. Goring's Letter of the 3d of June, nor the Begum's Letter addressed to the General, which was enclosed in it, contain the full Confirmation required in the Letter written by the Board to Mr. Goring on the 25th May, I desire that the following Questions may be proposed to the Begum.

" 1st. Was any Application made to you for the Account which you have delivered of Three Lacks of Rupees, said to have been paid to the Governor and Mr. Middleton; or did you deliver the Account of your own free Will and unsolicited?

" 2d. In what Manner was the Application made to you, and by whom?

" 3d. On what Account was the Sum, One and Half Lacks, given to the Governor General, which you have laid to his Account? Was it in consequence of any Requisition from him, or of any previous Agreement, or of any established Usage? I must further request, that these Questions be transmitted to the Resident at the Durbar, and that he be directed to put them, in Person, to the Begum, and to take down her Answers in her Presence.

" Mr. Francis.—I agree, provided Mr. Goring be present while the Questions are put; but to be silent, and not to interfere in them.

" The Governor General.—I am sorry I am under the Necessity of objecting to Mr. Goring's being present; it was to *pervert the Effect of any Influence which might be exercised by Mr. Goring over the Begum, who is at present under absolute Subjection to his Authority, that I desired the Board to invest the Resident at the Durbar, the only regular official Channel for such a Communication, with this Commission; I must therefore beg Leave to obviate any further Proposal for his being present, and hope that Mr. Francis himself, and the Board, will think this a sufficient Reason for my objecting.

" Mr. Barwell.—I acquiesce in the Governor General's Request; and as the Reasons which possibly have influenced Mr. Francis, might have Weight with me to embrace his Proposal, that Mr. Goring should accompany Mr. Martin to the Begum, and be present while the Questions were put, I beg the Favour of Mr. Francis to acquaint me with his Sentiments why he has judged it necessary.

" Colonel Monson.—I have no Objection, for the Governor General's Satisfaction, that the Questions should be put to the Begum; but I think Mr. Martin an improper Person to do it, as he now stands accused, and is said to have received a Sum of Money from Ewaz Ally Cawn for his Consent in the Appointment of a Servant to the Nabob's Household; therefore I deem him a Person who may be influenced in this Enquiry. I would therefore recommend that these Questions be put to the Begum in the Presence of Mr. Goring, Mr. Martin, and any third Person the Board shall think proper to appoint, viz. Mr. Maxwell, Mr. Anderson, or Mr. Grant. The First Question, in my Opinion, has already been answered by Mr. Goring in his Letter of the Third of June; the Second Question I think unnecessary; for if the Money was given, it is of little Consequence to the Public in what Manner this Transaction has been made known; with respect to the Third Question, we already know on what Account the Lack and Half of Rupees was given; whether it was in consequence of a Requisition from the Governor, or any other Person, or by previous Agreement, is not material, as the Directors will judge how far the Governor's having accepted of such Presents is agreeable to their Sentiments. I have heard that it has been an established Usage for Persons of distinguished Rank, when resident at the Court of Eastern Princes, to have large Sums of Money given them for their Table Expences. The Governor General can himself satisfy the Court of Directors whether he received such an Allowance from the Begum or the Nabob's Household, or whether he has charged any Sum on Account of his Expences to the Company while at Muxadavad.

General Clavering.—I am very willing to agree that Mr. Martin should be present when the Questions are put, together with Mr. Maxwell and Mr. Anderson, the Two Gentlemen of the Council at Muxadavad who are appointed to examine the Accounts; and I think that the Questions should be proposed by Mr. Maxwell, Mr. Goring being present. It would be very improper that Mr. Martin should alone propose the Questions, because he has been accused of taking Money for an Appointment in the Nabob's Household, and the Accusation has been transmitted

mitted to us by Mr. Goring, he therefore must be considered as Mr. Goring's Enemy. In regard to the Manner in which the Appointment was made to the Begum, or by whom, * seems to be very immaterial: What appears to be most essential to the Governor is, to find out from the Begum's Answers whether the Sum of 1,50,000 Rupees, which the Begum declares she gave to the Governor, was a Part of the Money alledged by Mah Rajah Nundcomar, or whether it was a separate Sum. It appears to me to be equally illegal, whether the Money was given to the Governor in consequence of a Requisition from him, or in consequence of any previous Agreement, or of any established Usage, without he had the Authority of the Court of Directors for receiving the Money; and therefore I conceive that it can be of no Manner of Use to him whether that the Third Question be answered in the Affirmative or the Negative.

" Governor General.—I do not mean to make the Board the Judges of my Conduct, but disclaimed their Right of judging me: but even if I had not done it, I have certainly a Right to determine for myself what Points are necessary for my own Justification. I have objected to Mr. Goring, and to him only. I have no particular Desire that Mr. Martin should put the Questions to the Begum; let the Board nominate Mr. Anderson to this Commission, or Mr. Maxwell if he understands the Language, or join Mr. Martin to both these Gentlemen; I have no Objection either; but I must object to Mr. Goring, because I believe that if he is present the Begum will answer the Questions under the Dread of his Authority. I once more refer it to the Board to determine whether Mr. Goring shall or shall not be present on the Occasion.

" Mr. Francis begs Leave to give the following Explanation, agreeable to the Resolution of the Board. Mr. Barwell.

" I am at all Times ready to give an Explanation of the Motives of my Opinion. As a Member of the Board who may desire it, though strictly I am at Liberty to decline. The Begum, I observe, is suspected to be under the Influence of Mr. Goring: If, after the Declaration she has made to him, and which, from the above Suspicion, he may be supposed to have derived from her, she should afterwards be examined by another Person in Mr. Goring's Absence, it may vary from her first Declaration, we may expect that Mr. Goring will then complain that his Influence has prevailed over her to do so. Let the Questions be put into Writing and delivered to her publicly, and then I think there can be no Ground for a Suspicion of undue Influence of either Side.

" Mr. Barwell—I admit the Justness of the Argument on which Mr. Francis found his Opinion for joining Mr. Goring with Mr. Martin; but as the Governor's Objections to the Gentlemen * are thought by him to be very material, and I coincide with him in that Opinion, I am against Mr. Goring's being present when the Questions the Governor has desired are put to the Begum. As there are Objections likewise started to Mr. Martin, I am against that Gentleman's being present, particularly as there are Two others to whom no Objection has been made.

" Agreed, that the Questions proposed by the Governor General be translated into Persian, and be delivered to the Begum in the Presence of Messrs. Goring, Maxwell, Martin, and Anderson, and that the Paper be transmitted to these Gentlemen for that Purpose, with the following Instructions, &c. &c.

" To Messrs. Goring, Maxwell, Martin, and Anderson.

" Gentlemen,

" We transmit you enclosed a Paper addressed to Munny Begum, containing sundry Questions to which we are desirous of obtaining her Replies; we therefore direct that you cause the said Paper to be delivered to her in your Presence, and in the Name of this Board you will at the same Time request to be furnished with her Answers to each Article in Writing, which when delivered are to be forwarded immediately to us; but we positively direct that you enter into no Conversation with the Begum, either jointly or separately, upon the Subject, or the Contents of the Paper.

" We are, &c.

" Fort William,
June the 8th 1775.

Signed at the End of the Consultation,

" Warren Hastings, R^d. Barwell,
J. Clavering, P. Francis." (a)
Geo. Monton,

Read, from Page 624 of the same Book, the following Extract of a Consultation of the 24th July 1775.

" Fort William, the 24th July 1775.

" At a Council; Present,
The Honourable Warren Hastings, Governor General, President;
Lieutenant General John Clavering,
The Honourable George Monton,
Richard Barwell, } Esquires.
Philip Francis, }

Sec. Dept.
Monday.

" From Munny Begum, addressed to the Governor General and Council. Received the 14th June 1775.

(a) Vide Appendix, N^o CXVII.

The Counsel for the Defendant stated, That Mr. Hastings acceded to the Questions recorded in the Consultation of the 8th of June 1775, being put to the Munny Begum, provided Mr. Goring were not present when they were put; but was overruled in that respect by the Board: Therefore, the Answers of the Begum now about to be read, were no Evidence against him.

The Managers for the Commons were heard in answer to the said Objection.

The House ordered so much of the Consultation of the 8th of June 1775, as relates to the Questions sent to the Begum, to be again read.

The same was read accordingly.

Then to shew that the Questions sent to the Munny Begum were delivered to her, and her Answers transmitted to the Board,

Read, the following Extract of the Consultation of the 24th July 1775, from Book 11, beginning at Page 624.

Secret Dept.
Monday.

" Fort William, the 24th July 1775.
" At a Council; Present,
The Honourable Warren Hastings, Governor General, President;
Lieutenant General John Clavering,
The Honourable George Monson,
Richard Barwell, } Esquires.
Philip Francis, }

" Honourable Sir and Sirs,

" We were favoured with your Letter of the 8th instant this Morning, and, in Compliance with your Orders, waited upon Munny Begum at Six o'Clock this Evening, delivering her the Queries inclosed in your Letter; to which we received, at Twelve o'Clock this Night, the inclosed Answer, superscribed with our Initials, and have immediately dispatched it to you.

" We are, &c.

" The Killah at Moorshedabad,
11th June 1775.

(Signed) " C. Goring,
W^m Maxwell,
W. B. Martin,
D. Anderson." (a)

The Counsel for the Defendant stated, and the Managers for the Commons admitted, that Mr. Hastings neither said nor did any Thing at the said Consultation upon the abovementioned Letter and the Begum's Answers being read.

Then, to shew the Account Mr. Hastings himself gave of the above Transaction,

Read, from Book 208, already delivered in, the following Extract of a Letter from the Governor General to the Court of Directors, dated Fort William, 31st July 1775.

" The Begum, since her Disgrace, has been added to the List of my Accusers. The Manner in which this extraordinary Manœuvre was effected will be too plainly suggested, even by the Facts which appear in the abrupt and mysterious Relation of it by Mr. Goring.

" Mr. Goring was deputed by the Board to divest the Begum of her Authority, to place it in the Hands of the Son of Nund Comar, to receive from the Begum the Accounts of the Nabob's Expenses, and to deliver them to the Gentlemen, who were, at the same Time, appointed to examine and report them to the Board. What private-Instructions he received I know not; but One of his first Acts of Authority, after having taken Care to impress the Begum with a proper Idea of the Extent of his Power over her own Person, by apprizing her of the Order of the Board for her Removal from the Palace to a remote House in the City, and that the Execution of this Order depended solely on his Option, was to imprison Etwar Ally Cawn, her chief Eunuch and confidential Servant, on the Complaint of One of the Servants of the Household respecting a private Grievance, totally foreign from the declared Purposes of Mr. Goring's Commission. By this Species of Torture, inflicted on the Mind of a weak Woman, who had hitherto been accustomed to the gentlest Treatment, and most respectful Address, from all Persons of what Rank soever who approached her, she was compelled to deliver a Paper to Mr. Goring, containing an Account of Two Sums charged to have been paid to Mr. Middleton and myself, each amounting to 1,50,000 Rupees. Etwar Ally was in consequence immediately released from Imprisonment, and the Begum permitted to continue in Possession of her own Apartments.

(a) Vide Appendix, N^o XCVIII.

" It is remarkable, that even the obvious Precaution of introducing this strange Production, with some Circumstances which might mark it as the voluntary Act of the Begum, was totally disregarded; and the Begum, a Woman of the first Rank in the Province, made abruptly to present a formal Accusation against the First Member of the present, and the Two first Members of the last Administration, with the gloomy Silence of a common mercenary Informer.

" The following Extracts will serve as a Specimen of the Oppression exercised on the Begum and her Officers, the Mode chosen by Mr. Goring for eluding the Appeals which she might be provoked to make to the Supreme Court of Justice, and the Defision with which this intolent young Man has dared to treat her Feelings, even in a Letter written by him to the Council.

" Extract of a Letter from Mr. Goring to the Board, dated the 17th May 1778.

" On the Begum's hearing that Part of the Letter read relating to her being removed to Messier's House, she exclaimed against it; and said, that if she was to quit the Kella, she would go to Calcutta. I told her this was a discretionary Order and left to me, if I thought it necessary, explaining to her that Part of my Instructions, and assuring her she should be used with the utmost Respect, according to your Orders. I beg to know, however, if you will admit her going to Calcutta, should I find it necessary to remove her from the Kella, which I fear shall, from the Character of the People about her, particularly Etwar Ally Cawn, and by Angsing, the Head of the Hircarrahs, who have been the chief Managers since the Begum has had Charge of the Nabob, and who have accumulated great Wealth, particularly the former, by his Excellency's Account, who was raised from a menial Station to the One he now is.

" As the Begum hinted that there were Courts of Justice at Calcutta, and that the aggrieved could there get Redress, if you think proper, all Orders for confining the Servants, who may be or are faulty, shall be issued in the Nabob's Name, who, I apprehend, has an undoubted Right over them.

" Extract of a Letter from Mr. Goring to the Board, dated the 5th of June;

" I have only to add, that, previous to sending the above Papers, I waited on her (the Begum) with the Nabob and Goordafs. On mentioning the Matter, she flew into a violent Passion, abused Goordafs, beat herself, and denied the Whole.

" Extract of a Letter from Nonidroy, addressed to the General and the Gentlemen of the Council, and entered in Consultation of the 24th July.

" On the Second of the same Month, between Seven and Eight in the Morning, Rajah Goordafs went to Ferralang, and was received very graciously by Mr. Goring, who expressed his Pleasure at the Kindness of the Rajah in this Visit: After which, they entered into Conversation with Chyton Durr, the Behla Treasurer, concerning the Nezeranna given to the Governor, amounting to Two Lacks of Rupees, which were sent to Calcutta at the Time of the Begum's being invested with the Administration. At last, the said Treasurer mentioned something contrary to the Orders of the said Gentleman, and was therefore put under a Guard of Sepoys for near Two Hours; after which, he agreed that he would relate, in the Evening, whatever he might be able to discover from Yatebar Ally Cawn, and from an Examination into the Papers: On this he was released. Rajah Goordafs, and the said Treasurer, went, in the Evening, to Ferralang, and remained there till near Eight at Night. I understand that nothing was settled. Victuals being sent to Mr. Goring from the Nabob's Sircar, according to our established Custom, he sent it back again. The Papers of the Serishtah of the Nezeranna, Behla, &c. remained open from Nine o'Clock in the Morning till Seven in the Evening.

" Mr. Goring still continues at the City, notwithstanding the ostensible Purposes of his Commission are, or ought to have been long ago, concluded; retaining the Begum in the most absolute State of Dependence, and persisting in his Endeavours to extort from her further Accusations; sometimes practising on her Fears by Threats, at others tempting her by Promises of restoring her former Authority. This I learn from private Information; but I do not think it safe to divulge my Authority. You will judge of the Probability of it, from the Facts avowed by Mr. Goring, in his Letters, and from the general Tenor of his Commission. This Treatment of the Begum has hitherto produced no other Effect, than to irritate her to short Gushes of Anger, and ineffectual Resolutions to come down to Calcutta, for an Asylum against a Tyranny which she could no longer submit to.

" Such is the State of the Person, whom your former Administration thought worthy of being placed in the First Office of Dignity in these Provinces, and whom your subsequent Commands have since confirmed in that Trust, with Expressions of your fullest Approbation; and even the most honourable Testimonies of your Applause bestowed on myself, for the Part which I had in the Plan and Conduct of this Transaction.

" As your Curiosity may be excited to read at large the Proceedings on the Dismission, and subsequent Treatment of Munny Begum, and the other Matters produced from both, I beg Leave to recommend to your Perusal the following Consultations of the Secret Department in which they

they will be found, viz. 1st, 5th, 9th, 10th, and 25th May; 8th and 12th June, and 24th July.

“ Fort William,
31st July 1775.

(At the End)
Warren Hastings.” (a)

The Counsel for the Defendant were asked, if they persisted in their Objection.

The Counsel for the Defendant made answer, That they did. 1st. Because the Questions were sent to the Begum without the Consent of Mr. Hastings. 2dly. Supposing they had been sent with his Consent, there was no subsequent Demeanour of his to shew that he adopted the Substance of the Answers given by the Munny Begum.

The Managers for the Commons, in Reply, said, They rested their Answer to the Objections made by the Counsel on the Observations they had already made.

Then the House adjourned to the Chamber of Parliament.

The Lords being returned, the House resumed, the usual Proclamations made, and the Defendant appearing at the Bar, the Lord Chancellor said,

“ Gentlemen, Managers for the House of Commons, and you Gentlemen who are of Counsel for the Defendant, the Lords have resolved, That the Consultation of the 24th July 1775, containing the Answers of the Munny Begum to Questions proposed to her at the Instance of Mr. Hastings, ought to be read.”

The following Extract of the said Consultation of the 24th July 1775, was read accordingly, from Page 624 of Book 11, already delivered in.

“ Fort William, the 24th July 1775.

Secret Dep.
Sunday.

“ At a Council; Present,
The Honourable Warren Hastings Esquire, Governor General, President;
Lieutenant General John Clavering,
The Honourable George Monlon,
Richard Barwell, } Esquires.
Philip Francis, }

“ From Munny Begum.

“ Addressed to the Governor General and Council.

Received the 14th June 1775.

“ To-day, being Sunday, the 11th of Ribbee Assanee, or June, a little after Sun-set, Mr. Goring, Mr. Anderson, and Mr. Maxwell came to me, and presented me with a Paper, containing Questions from the Governor General and Council, without any Seal or Signature. In the said Paper is the following Question.

“ Whether any Application was made to me for the Account of the Three Lacks of Rupees which are laid to the Charge of the Governor and Mr. Middleton, or whether I delivered it voluntarily, and without Solicitation. The Case is this.—Mr. Goring, on his Arrival here, seized all the Papers, and secured them under his Seal; and all the Mulsuddies attended him, and explained to him all the Particulars of them.

“ Mr. Goring enquired of me, concerning the Arrears due to the Sepoys and Bohla, observing that the Nizamut and Bahlah Money was received from the Company, from whence then could the Balance arise? I made Answer, that the Sum was not adequate to the Expences. Mr. Goring then asked, What are those Expences which exceed the Sum received from the Company? I replied, All the Particulars will be found in the Papers. The Affair of the Three Lacks of Rupees, on Account of Entertainment for the Governor and Mr. Middleton, has been, I am told, related to you by Rajah Goordais; besides which there are many other Expences which will appear from the Papers, as the Custom of Entertainment is of long standing; and accordingly every Governor of Calcutta who come * to Moorshedabad received a daily Sum of 2,000 Rupees for Entertainment, which was in Fact instead of Provisions; and the Lack and a Half of Rupees laid to Mr. Middleton's Charge, was a Present on Account of an Agreement entered into by the Baboo Begum. I therefore fixed my Seal to the Account, and forwarded it to Mr. Goring by Means of the Nabob.

“ Warren Hastings,
J. Clavering,
Geo. Monlon,
Rich^d. Barwell,
P. Francis.” (b)

Then the House adjourned to the Chamber of Parliament.

(a) Vide Appendix, N^o II, and N^o XCVI, Page 386.

(b) Vide Appendix, N^o XCVIII.

Die Mercurii, 10^o Junii 1789.

THE Lords being in their Places, the House resumed, the usual Proclamations made, and the Defendant appearing at the Bar, the Lord Chancellor acquainted the Managers for the Commons, they might proceed to make good their Charge.

The Managers for the Commons offered to produce certain official Documents, properly attested relative to the Receipt by Mr. Hastings of the One Lack and a Half of Rupees, stating that they were transmitted by Mr. Goring to the Board of Council at Calcutta, received by them, recorded without any Objection on the Part of Mr. Hastings, and transmitted by him, likewise without Objection, to the Court of Directors.

The Counsel for the Defendant objected to the same, as being a voluntary Transmission of Papers in themselves not Evidence, and not sanctioned by any Conduct of Mr. Hastings.

The Managers for the Commons being heard in Answer to the Objection, and the Counsel for the Defendant in Reply;

The House adjourned to the Chamber of Parliament.

The Lords being returned, the House resumed, the usual Proclamations made, and the Defendant appearing at the Bar, the Lord Chancellor said;

“ Gentlemen, Managers for the House of Commons, and you, Gentlemen, who are of Counsel for the Defendant, the Lords have resolved, That the Papers which are now offered in Evidence by the Managers for the Commons, ought not to be read.”

The Managers for the Commons stated, that not knowing the Grounds on which the House had determined the abovementioned Documents to be inadmissible, they supposed it must be in the Light they had offered them. They wished therefore to know, whether, as the Munny Begum had transmitted, under her own Hand, to a Commissioner appointed by the Board, and therefore by Mr. Hastings himself, the last Document read on Thursday last, they were at Liberty now to read an original Persian Letter, under the Hand and Seal of the Munny Begum, and signed by the Nabob, and transmitted by Mr. Goring to the Board, to shew that the Munny Begum never, at any Time, varied from the above Testimony.

They stated also, as an Act of Demeanour on the Part of Mr. Hastings, that when the Munny Begum was not under any supposed Compulsion, he never attempted to invalidate the same.

The House informed the Managers for the Commons, that the Papers offered in Evidence could not be produced in that Light.

The Managers for the Commons informed the House, they would next produce a Witness to authenticate an original Persian Paper, delivered by the Munny Begum to Mr. Goring, under her own Seal, to prove that Mr. Hastings had received One Lack and a Half of Rupees, under Colour of an Entertainment.

Then CHARLES GORING Esquire was called in; and being sworn, was examined as follows.

Q. Whether you had any, and what Conversation with the Munny Begum relative to the Present of One Lack and a Half of Rupees given to Mr. Hastings as an Entertainment?

The Counsel for the Defendant objected to Evidence of any Conversation with the Munny Begum, Mr. Hastings himself not being present.

Q. Whether there was any Conversation between you and the Begum upon any Subject?

The Counsel for the Defendant objected on the same Ground.

Q. Did you receive any, and what Paper from Munny Begum?

A. I received Five Statements.

The Counsel for the Defendant objected to the Production of the Paper, unless it was delivered in Mr. Hastings's Presence, and the Contents read to him.

Then the Managers for the Commons stated, That the original Instrument, under the Seal of the Begum, now in Question, having been rejected, when offered upon the Grounds before stated, they now proposed to offer it upon the Ground of its being an original Instrument, duly authenticated under the Seal of the Begum, and attested by the Nabob; it being contrary to the Custom of that Country for Women of Rank to appear in Publick, or to take an Oath; to prove which Custom, they desired the Witness might be asked,

Q. Whether or no, according to the Custom of that Country, a Woman can personally appear in Publick to give Evidence?

The Counsel for the Defendant stated, That they considered the Question as immaterial; objecting, however, That as the Evidence itself was not upon Oath, it could not be read.

The House informed the Managers for the Commons, That supposing the Custom to be as stated, it was impossible that the Paper, as described, could be admitted in Evidence against the Defendant.

The Witness was directed to withdraw.

To shew that Mr. Hastings gave Information to the Court of Directors of this Charge of the One Lack and a Half of Rupees, unaccompanied with any Explanation or Denial on his Part,

Read, from Book 208, already delivered in, the following Extract of a Letter from the Governor General to the Court of Directors, dated Fort William, 31st July 1775.

"The Begum, since her Disgrace, has been added to the List of my Accusers. The Manner in which this extraordinary Manœuvre was effected will be too plainly suggested, even by the Facts which appear in the abrupt and mysterious Relation of it by Mr. Goring.

"Mr. Goring was deputed by the Board to divest the Begum of her Authority, to place it in the Hands of the Son of Nund Comar, to receive from the Begum the Accounts of the Nabob's Expenses, and to deliver them to the Gentlemen, who were, at the same Time, appointed to examine and report them to the Board. What private Instructions he received I know not; but One of his first Acts of Authority, after having taken Care to impress the Begum with a proper Idea of the Extent of his Power over her own Person, by apprizing her of the Order of the Board for her Removal from the Palace to a remote House in the City, and that the Execution of this Order depended solely on his Option, was to imprison Etwar Ally Cawn, her chief Eunuch and confidential Servant, on the Complaint of One of the Servants of the Household respecting a private Grievance, totally foreign from the declared Purposes of Mr. Goring's Commission. By this Species of Torture, inflicted on the Mind of a weak Woman, who had hitherto been accustomed to the gentlest Treatment, and most respectful Address, from all Persons of what Rank soever who approached her, she was compelled to deliver a Paper to Mr. Goring, containing an Account of Two Sums charged to have been paid to Mr. Middleton and myself, each amounting to 1,50,000 Rupees. Etwar Ally was in consequence immediately released from Imprisonment, and the Begum permitted to continue in Possession of her own Apartments.

"It is remarkable, that even the obvious Precaution of introducing this strange Production, with some Circumstances which might mark it as the voluntary Act of the Begum, was totally disregarded; and the Begum, a Woman of the first Rank in the Province, made abruptly to present a formal Accusation against the First Member of the present, and the Two first Members of the last Administration, with the gloomy Silence of a common mercenary Informer.

"The following Extracts will serve as a Specimen of the Oppression exercised on the Begum and her Officers, the Mode chosen by Mr. Goring for eluding the Appeals which she might be provoked

voked to make to the Supreme Court of Justice, and the Derision with which this insolent young Man has dared to treat her Feelings, even in a Letter written by him to the Council.

“ Extract of a Letter from Mr. Goring to the Board, dated the 17th May 1775.

‘ On the Begum’s hearing that Part of the Letter read relating to her being removed to Meer Jaffier’s House, she exclaimed against it; and said, that if she was to quit the Kella, she would go to Calcutta. I told her this was a discretionary Order and left to me, if I thought it necessary, explaining to her that Part of my Instructions, and assuring her she should be used with the utmost Respect, according to your Orders. I beg to know, however, if you will admit of her going to Calcutta, should I find it necessary to remove her from the Kella, which I fear I shall, from the Character of the People about her, particularly Etwar Ally Cawn, and Roy Angsing, the Head of the Hircarrahs, who have been the chief Managers since the Begum has had Charge of the Nabob, and who have accumulated great Wealth, particularly the former, by his Excellency’s Account, who was raised from a menial Station to the One he now holds.

‘ As the Begum hinted that there were Courts of Justice at Calcutta, and that the Aggrieved could there get Redress, if you think proper, all Orders for confining the Servants, who may be or are faulty, shall be issued in the Nabob’s Name, who, I apprehend, has an undoubted Right over them.’

“ Extract of a Letter from Mr. Goring to the Board, dated the 5th of June.

‘ I have only to add, that, previous to sending the above Papers, I waited on her (the Begum) with the Nabob and Goordafs. On mentioning the Matter, she flew into a violent Passion, abused Goordafs, beat herself, and denied the Whole.’

“ Extract of a Letter from Nonidroy, addressed to the General and the Gentlemen of the Council, and entered in Consultation of the 24th July.

‘ On the Second of the same Month, between Seven and Eight in the Morning, Rajah Goordafs went to Ferralang, and was received very graciously by Mr. Goring, who expressed his Pleasure at the Kindness of the Rajah in this Visit: After which, they entered into Conversation with Chyton Durr, the Behla Treasurer, concerning the Nezeranna given to the Governor, amounting to Two Lacks of Rupees, which were sent to Calcutta at the Time of the Begum’s being invested with the Administration. At last, the said Treasurer mentioned something contrary to the Orders of the said Gentleman, and was therefore put under a Guard of Sepoys for near Two Hours; after which, he agreed that he would relate, in the Evening, whatever he might be able to discover from Yatebar Ally Cawn, and from an Examination into the Papers: On this he was released, Rajah Goordafs, and the said Treasurer, went, in the Evening, to Ferralang, and remained there till near Eight at Night. I understand that nothing was settled. Victuals being sent to Mr. Goring from the Nabob’s Sircar, according to our established Custom, he sent it back again. The Papers of the Serishta, of the Nizamut, Behla, &c. remained open from Nine o’Clock in the Morning till Seven in the Evening.’

“ Mr. Goring still continues at the City, notwithstanding the ostensible Purposes of his Commission are, or ought to have been long ago, concluded; retaining the Begum in the most absolute State of Dependence, and persisting in his Endeavours to extort from her further Accusations; sometimes practising on her Fears by Threats, at others tempting her by Promises of restoring her former Authority: This I learn from private Information; but I do not think it safe to divulge my Authority. You will judge of the Probability of it, from the Facts avowed by Mr. Goring, in his Letters, and from the general Tenor of his Commission. This Treatment of the Begum has hitherto produced no other Effect, than to irritate her to short Gusts of Anger, and ineffectual Resolutions to come down to Calcutta, for an Asylum against a Tyranny which she could no longer submit to.

“ Such is the State of the Person, whom your former Administration thought worthy of being placed in the First Office of Dignity in these Provinces, and whom your subsequent Commands have since confirmed in that Trust, with Expressions of your fullest Approbation; and even the most honourable Testimonies of your Applause bestowed on myself, for the Part which I had in the Plan and Conduct of this Transaction.

“ As your Curiosity may be excited to read at large the Proceedings on the Dismissal, and subsequent Treatment of Munny Begum, and the other Matters produced from both, I beg Leave to recommend to your Perusal the following Consultations of the Secret Department in which they will be found, viz. 1st, 5th, 9th, 10th, and 25th May; 8th and 12th June, and 24th July.

“ Fort William,
31st July 1775.

(At the End)

Warren Hastings.” (a)

(a) Vide Appendix, N° II, and N° XCVI, Page 386; and Vide supra, Page 1036.

Then

Then MAJOR SCOTT was called in, and examined as follows.

Q. Whether, in the Year 1782, you did not act as Agent to Mr. Hastings, by his Authority?
A. I did.

Then a Paper was shewn to the Witness, and he was asked,

Q. Did you produce this Paper, on the 8th of May 1782, to the Committee of the House of Commons, as a Letter from Munny Begum?

A. I rather think that it must have been in the Year 1783, and not in the Year 1782, that I produced a Persian Paper to the Committee of the House of Commons, that was then sitting upon the Affairs of India: I believe it was in the Year 1783.

Then another Paper was shewn to the Witness, and he was asked,

Q. Whether that was the Paper, and this the Translation delivered by you, according to the best of your Judgement?

The Counsel desired the Witness might be asked,

Whether he had compared the Paper and Translation so as to understand whether it was a Translation, and whether that was the identical Persian Paper?

The Witness was asked,

Q. Do you, or not, remember whether that Paper now put into your Hand, was the Paper you delivered at the Bar of the House of Commons?

A. I do not recollect whether this was the Paper; but I am confounded with respect to the Date; being in the Year 1782, and not in 1783, that if it was in the Year 1782, and not in 1783, my Memory has totally forsaken me upon the Subject. The Honourable Manager was examining me before the Committee and Mr. Goring respecting the Transactions that happened in 1775; Transactions that were transmitted to the Court of Directors, and by them laid before a Court of Proprietors, and printed for the Information of the Publick. They were Transactions that occasioned a great deal of Noise in England at the Time: Parties were very much divided in Opinion upon them; and upon that Occasion, a Number of Gentlemen, with whom the Honourable Manager then and has since acted, took Part with Mr. Hastings; another Set of Gentlemen, with whom the Honourable Manager has since acted, took a very strong Part against Mr. Hastings upon this very Point. At this very Period, I happened to dine with a Gentleman where the Matter before the Committee was talked of, and I mentioned to him, as an extraordinary Circumstance, that the Select Committee should be then examining into Circumstances which happened so many Years ago, and which I thought were buried in Oblivion. Mr. Baber said he had a very curious Paper upon that Subject, which he would give me. I brought it to the Committee, with the Translation, and delivered it to them. Whether this is the Paper or not I cannot say, as I do not understand the Persian Language, but this certainly, as far as I can recollect, not having seen it since 1783 to the present Time, looks like the Paper; whether it is or not, I cannot say.

The Managers for the Commons said, they should prove this to be the Paper which Major Scott delivered in to the Committee of the House of Commons.

Q. (*by Counsel.*) Had you any Authority, directly or indirectly, from Mr. Hastings, for the Production of the Paper you did produce, be it what it may?

A. I certainly had not, and when I came from Bengal as Agent to Mr. Hastings, I do not believe it entered into the Head of Mr. Hastings, or of any human Being, to give me Instructions relative to Transactions in the Year 1775, he having been afterwards Three Times appointed Governor General of Bengal by the Legislature. I had no Idea of its being mentioned, after being buried in Oblivion so long.

The Counsel for the Defendant objected, That no Paper produced by the Witness before the Committee of the House of Commons, without the Authority of Mr. Hastings, could be Evidence against Mr. Hastings.

Q. Had you Powers of Agency from Mr. Hastings that extended to this particular Instance of delivering in such Papers as these?

A. No, not to this particular Instance; but I read to the Honourable Manager an Extract from my Instructions to the Point to which he alludes.

Q. Whether in delivering those Powers of Agency, you delivered them to the Committee publicly, or to the Manager privately?

A. I went to the Committee, and the Honourable Manager, I believe, generally put the Questions to me; he was the most active of the Committee, and generally did put the Questions to me; and therefore I meant it was in reply to a Question put by him.

Q. To

Q. Whether it was not to the Committee?

A. Yes; to the Committee certainly, on a Question put by him.

Q. Whether you did not deliver in your Powers of Agency, or report them to the Court of Directors?

A. I delivered a Letter from Mr. Hastings either to the Court of Directors or to the Chairman, which is printed in one of the Reports of the Committee: If the Honourable Manager will read that Letter I will confirm it to be mine. I believe the Select Committee sent an Order to the Court of Directors, in Consequence of which it was brought to the Committee, and is printed by them in One of the Reports.

Q. Whether the Object of your Agency was not to defend and explain Mr. Hastings's Conduct upon such Matters as he might be called in question upon?

The Counsel for the Defendant objected, that the Instrument would speak for itself.

The Witness was asked:

Q. Was you constituted Agent by any Instrument?

A. When I left Bengal, Mr. Hastings either put into the Company's Packet, or gave to me, a Letter to the Chairman of the Court of Directors, or to the Court of Directors, telling them, he had appointed me his Agent in England. I had a Letter of Instructions from Mr. Hastings. One Paragraph of which I read to the Select Committee, and I refer to that to take the true Words of it.

Q. Whether, or no, the Purport of the Powers of Agency —?

The Counsel for the Defendant objected.

Q. Had you any Powers besides those contained in the Letter you have referred to?

A. No, none: But that it may not be supposed I laid before the Committee the Whole of the Letter of Instructions, I state, that I laid before them a Part only of the Letter I received from Mr. Hastings: I have no Objection to state the Whole to the House.

The Counsel for the Defendant objected to parole Testimony of written Evidence.

The Witness was asked,

Q. Had you any particular Instructions beyond what were contained in the Paper?

A. No; none but what were contained in the Paper; but I did not lay before the Select Committee the Whole of the Instructions.

Q. Have you got the whole Letter of Instructions by you?

A. Yes, I believe I have; I dare say I have.

The Counsel for the Defendant objected, that the Witness could not be compelled to produce the Instructions.

Q. (by the Managers). Have you the Paper by you?

A. I have it not in my Pocket.

The Managers for the Commons said, they gave the Witness Notice to produce it To-morrow.

The Counsel for the Defendant said, that Production would be accompanied with the Objection already made.

The Witness was directed to withdraw.

Then Mr. WILLIAM EVATT was called, and being sworn, a Paper was shewn him; and he was examined as follows:

Q. Look at that Paper?

A. This Paper was produced by Major Scott to the Select Committee on the 8th of May 1782.

Q. Are you sure of the Time?

A. Yes, the 8th of May 1782. I have the Minute here of the Time it was produced, "A Minute of the 8th of May 1782."

Q. Are those the original Minutes of the Committee?

A. These are the original Minutes of the Committee.

Then another Paper was produced to the Witness.

Q. Look at the Translation. Was that a Translation of it?

A. This was the Translation delivered in by Major Scott the same Day.

Q. Was it delivered in as a Translation of that other Paper ?

A. Yes ; it was.

Q. Were those Papers delivered in by Major Scott ?

A. These are the Two Papers delivered in by Major Scott.

Q. Were they documented by you ?

A. They were.

Q. At the Time ?

A. Yes.

Q. I desire to know whether Major Scott was not examined at another Time ?

No Answer.

Then the Witness was directed to withdraw.

Then EDWARD BABER Esquire was called in ; and being sworn, and Two Papers being shewn to him, he was examined as follows :

Q. Look at those Two Papers, and say, Whether those are the Papers, to the best of your Recollection and Belief, which you delivered to Major Scott ?

A. I believe they are.

Q. I desire to know, Whether you did not yourself authenticate those Papers before a Select Committee of the House of Commons in the Year 1782. Whether the Persian Paper was not delivered by you to a Select Committee of the House of Commons as an authentic Letter from the Munny Begum ?

A. I delivered this to Major Scott, who delivered it to the Committee of the House of Commons.

Q. Was you examined yourself upon the Subject ?

A. I was.

Q. Did you declare to that Committee ——— ?

The Counsel for the Defendant objected to the Question.

Q. From whom did you get that Letter ?

A. Munny Begum sent this Letter to me by the Hands of her Moonshy, Abdul Reum Cawn.

Q. For what Purpose did Munny Begum send it to you ?

The Counsel for the Defendant objected to the Question.

Q. Was you directed to send that Letter over here ?

A. I sent a Translation of this Letter to Mr. Hastings at Calcutta.

Q. To Mr. Hastings himself ?

A. Yes.

Q. Was it delivered to you by Abdul Reum Cawn for the Purpose of being delivered to Mr. Hastings by you ?

A. It was delivered to me for the Purpose of being translated and sent to Mr. Hastings.

Q. You did send it accordingly ?

A. I did send it accordingly.

Q. You did not translate the Letter yourself ?

A. No ; I do not understand Persian.

Q. What was it you sent to Mr. Hastings ?

A. I sent a Translation of this Paper to Mr. Hastings. I was at Murshedabad, a hundred Miles from Calcutta. I sent it by the Post to Mr. Hastings. It was translated by Mr. Cowper, who then lived with me at Murshedabad.

Q. I desire to know whether the Translation now in your Hand, was the Translation you sent to Mr. Hastings, or an authentick Copy of it ?

A. This is a Copy of the Translation I sent to Mr. Hastings.

Q. To whom was the Letter directed ?

A. The Letter I sent to Mr. Hastings, was directed to Mr. Hastings.

Q. But the Persian Letter and Translation ; to whom was it directed ? To whom was it addressed ?

A. I do not understand Persian.

Q. To

Q. To whom is it addressed?

A. The Address I will read, if you please. (*Reads.*) " Translation of a Narrative written by the Begum Regent Dowager of the late Nabob, Meer Mahomed Jaffier Ally Khan, and Mother and Guardian of the present Nabob Mubauruck ud Dowlah; setting forth the Particulars of the extraordinary Conduct and Proceedings of Mr. Charles Goring, who was deputed by the Gentlemen of the Majority, Messrs. Clavering, Monson, and Francis, to dispossess her of the Regency, and to seize upon all the Household Papers and Accounts:—addressed to the East India Company." There is a Mark in the Hands of the Person who copied it, " Addressed to the East India Company."

Q. (*by a Lord.*) That Paper, together with that Mark and that Title, you sent to Mr. Hastings—a Copy of it?

A. I did.

Q. A faithful Copy?

A. Of course; I never send any other.

Q. (*by Managers.*) Do you not know that that Letter is addressed to the East India Company? Do you know any Thing more of it than what you observe upon the Face of the Paper?

A. Nothing. It is not upon the Original, I believe; but it can be ascertained.

Q. What did you do with the Paper when you brought it to England?

A. I kept these Two Papers in my Possession as mere Matters of Curiosity; and when this Subject was enquired into by the Select Committee of the House of Commons, I told Major Scott I had such a Paper, if it could be of any Use I would give it him: I did give it him, and he gave it to the Select Committee.

Q. (*by a Lord.*) Did you ever read it?

A. Yes, several Times.

Q. (*by a Manager.*) Whether you ever communicated it to any of the Directors of the East India Company?

A. No.

Q. Nor to any other Person but Major Scott?

A. No.

Q. Whether you had any Direction from Mr. Hastings relative to his Defence, or any Powers of Agency, or acting for him. Had you any Directions from Mr. Hastings relative to his Defence?

A. At what Time?

Q. At any Period of Time from the Time of your coming from Murshedabad, or there?

A. No; not particularly.

Q. Did Mr. Hastings never say any Thing to you relative to his Defence?

A. I drew a Part of the Defence upon this very Subject of the Presents, by Mr. Hastings's Desire.

Q. When you drew up that Defence, you had a Knowledge of the Existence of that Paper?

A. I had.

Q. Whether or no you had any other Power, at any other Time, or any other Direction, from Mr. Hastings, relative to his Defence, either in India or afterwards, except that now stated by you?

A. I do not recollect that I ever had any Power or Instructions relative to Mr. Hastings's Defence. I know that when I left India, I brought several Letters from Mr. Hastings to different Gentlemen in England; and as his Conduct was very often the Subject of Enquiry, any Opportunity that I might have of explaining any Part of his Conduct, as far as that, if that could be called Instructions for his Defence, I have had Conversations with Mr. Hastings.

Q. (*by Counsel.*) You said you sent a Translation of this Paper to Mr. Hastings at Calcutta; whether it consists with your Knowledge whether Mr. Hastings did or did not receive the Letter containing that Translation?

A. I do not know; for he never gave me any Answer to the Letter.

Q. (*by the Managers.*) Had you any Reason to believe that Mr. Hastings did not duly receive that Letter? How did you send it?

A. By the Dawk; by the Post.

Q. (*By a Lord.*) I would ask a Question only for Explanation. What did you understand by the

the Expression you used; namely, when you offered to give the Paper to Major Scott you said, you would give it, if it could be of any Use, of Use to whom?

A. To Mr. Hastings.

Q. (*By a Manager*). Whether, when you drew the Defence of Mr. Hastings upon this Article, you believed that Mr. Hastings was ignorant of what was reported against him in the Reports of the Select Committee?

The Counsel for the Defendant objected to the Question.

Q. (*By a Manager*). What Discourse had you with Mr. Hastings at the Time when you drew his Defence?

The House informed the Managers for the Commons, that where a Person was employed by another to draw his Defence, it was not competent to ask what Conversation passed between him and the Person who employed him.

Q. Did you receive any Instructions from Mr. Hastings for his Defence, or draw it up from your own Knowledge upon the Subject?

A. I drew it up from such Materials as Mr. Hastings afforded me.

The Witness was directed to withdraw.

Then DALHOUSIE WATHERSTONE Esquire was called in; and being sworn, was examined as follows:

Q. Whether you are acquainted with the Persian Language?

A. I have some Knowledge of it.

Q. Have you as good a Knowledge of the Persian Language as is common with Persons who are employed by the Company in transacting Affairs with the Natives?

A. I was employed as Persian Translator in India.

Then a Paper was shewn to the Witness, and he was asked,

Q. Whether that Paper is not, to the best of your Knowledge and Belief, a Paper delivered to you by the Select Committee of the House of Commons, and which they requested you to translate?

A. I believe it is.

Then another Paper was shewn to the Witness, and he was asked,

Q. Whether that Paper, purporting to be a Translation of that Original, was not delivered at the same Time to you?

A. I think I was also shewn this Translation.

Q. Whether the Committee did not request you to make an accurate Translation of that Persian Original?

A. The Committee requested me to do so, and I did it to the best of my Knowledge.

Q. Is that the Translation (shewing it the Witness)?

A. This is the Translation, and it is in my own Hand Writing principally.

The Witness was directed to withdraw.

Then CHARLES WILLIAM BOUGHTON ROUS Esquire was called in; and being sworn, a Paper was shewn to him, and he was examined as follows:

Q. Please to look at that Paper: Was that Paper delivered to you by the Committee of which you was a Member, requesting of you to assist Mr. Watherstone in the Translation of it?

A. I believe it is the same Paper.

Q. Did you revise that Translation, and correct it with Accuracy, to the best of your Judgment?

A. Mr. Watherstone shewed me the Translation he had made, and I revised it as carefully as I possibly could.

Q. Is that the Translation?

A. This is the Translation, and has many Corrections in my Hand-writing, which were adopted by Mr. Watherstone.

The Witness was directed to withdraw.

The

The Managers for the Commons desired that the Translation might be now read.

The Counsel for the Defendant objected to it.

The House informed the Managers for the Commons it was impossible to read it without Consent.

Then the Managers for the Commons stated, they would establish Major Scott's Agency before they proceeded further to offer the Paper.

Major Scott called in again, and examined as follows :

Q. (*By the Managers*). Whether Mr. Hastings continued ignorant of the Existence of this Letter after you had been appointed his Agent, and after you produced it to the Committee ?

A. I am perfectly clear that I never, in any Letter to Mr. Hastings, mentioned One single Syllable relative to the Letter ; I did not deem it of the slightest Consequence or Importance ; and I never had, directly or indirectly, Instructions from Mr. Hastings relative to Munny Begum. I do not believe, in the Course of my Life in India, I ever heard Mr. Hastings mention the Name of Munny Begum, but I am perfectly clear my Instructions went upon Matters totally and entirely different, and they are, I believe, now at my Banker's : I will take Care and have them Tomorrow, and I have not the least Objection to lay them before the House ; but I think I can satisfy the Managers that there is not One single Syllable in them relative to Munny Begum.

Q. Whether you never did communicate to Mr. Hastings any Thing relative to that Paper, after you had delivered it into the Committee ?

A. I believe never, till within these few Days ; while in India never, I am clear.

Q. Whether you was not examined relative to that Paper in the Year 1783 also ?

A. I was ; and that is the Period I particularly remember in the Year 1783 ; it was in January or February 1783, I believe.

Q. Do you know, or believe, that Mr. Hastings ever received the Eleventh Report of the Select Committee ?

A. I believe I sent him that Report myself.

Q. Whether that Letter, with Observations upon it, is not annexed in the Appendix to the Eleventh Report ?

A. Yes ; but I never sent Mr. Hastings the Appendix ; I sent him the Report, as it was printed as a Pamphlet by Debrett ; and I believe I accompanied it with some Observations of my own which I printed myself in reply to it.

Q. But I ask, why, when you communicated the Eleventh Report to Mr. Hastings, you did not also communicate the Appendix to him ?

A. It is very possible I could not get Two Copies at the Time. The Appendix was not printed as a Pamphlet.

Q. (*by a Lord*). Had you any Reason for not communicating it ?

A. None ; and I am not sure that I did not.

Q. Do you know any Thing of Mr. Baber's preparing a Defence for Mr. Hastings ?

A. Yes ; I believe I gave Mr. Baber the Materials myself.

Q. Did you, when you was preparing a Defence for Mr. Hastings, take no Notice of such a Letter ?

A. No ; and I rather believe at that Time I had not read the Letter through ; it is a long Letter from Munny Begum, written in the Eastern Style. I might have read Parts of it ; but I am sure I did not read it so as to leave any Impression upon my Memory ; nor at this Moment, if I was asked about it, do I know the Contents of the Letter.

Q. Do you recollect whether you did, or did not, send the Appendix to the Eleventh Report to Mr. Hastings ?

A. Indeed I cannot recollect ; if I could I would say so directly.

Then the Witness was directed to withdraw.

Then ROBERT HUDSON was called in, and examined as follows :

Q. Do you know whether a Copy of the Eleventh Report, with its Appendix, was or was not transmitted to Mr. Hastings ?

A. I do not.

Q. Have you inspected the Books upon that Occasion?

A. It appears by a Letter sent to Bengal, that the Reports of the Select Committee were sent; but how far, and whether they contained the Eleventh Report or not, does not appear.

Q. What was the Date of that Transmits?

A. The Tenth of September 1783.

Q. Was there any Transmits after that to Mr. Hastings?

A. I believe not.

The Managers for the Commons stated, that they would postpone the Production of the Paper before offered till the full Powers of Major Scott's Agency should be before the House; and would now proceed to prove, that when Mr. Hastings received the One Lack and a Half of Rupees for an Entertainment, he did at the same Time receive a large Sum of Money from the Company for his Expences during that Period, under the Name of Travelling Expences.

Then Mr. WRIGHT was called in; and being sworn, was examined as follows:

Q. What is your Office in the India House?

A. Auditor of Indian Accounts to the India Company.

Q. Whether or no you have examined into any Allowances made to Mr. Hastings in the Year 1772, for any Account of Travelling or other contingent Charges?

A. I have.

Q. What have you found relative to that Subject?

A. There is a Sum advanced to the Governor, amounting to Thirty thousand and odd Rupees, for Travelling Charges.

Q. When advanced?

A. In October and November 1772.

The Witness produced a Book, and proceeded as follows:

This Book is called the Cash Account of the Honourable United Company trading to the East Indies, for November 1772.

Q. Where was that Book transmitted from?

A. From Bengal.—On the Credit Side in this Month is the following Entry:

“ By Durbar Charges.

“ Paid the Governor's travelling Charges Six Months, 14,335 5 6.”

There is another Entry in the next Month's Account, December 1772.

“ By Durbar Charges.

“ Paid the Governor's travelling Charges for Six Months, from April to September, 17,014 4 9.”

Q. Have you examined into the Expences allowed for the Charges of the Committee of Circuit?

A. I have.

Q. What do those Charges amount to?

A. The Paper I have in my Hand contains an Abstract of Expences taken from Books received from Bengal.

The same was delivered in.

“ Charges of the Committee of Circuit in 1772-3. Extracted from Buxey's Books, &c.

“ Under the Head of Travelling Charges.

June 1772.	Page 11.	Paid Account Governor, &c. Gentlemen of the Council, going to Kissenagore and Moorshedabad	Curr. Rs	8,818	7	6
Sept.—	Page 9.	Paid Governor, &c. Gentlemen Return from Moorshedabad		123	12	3
Nov.—	Page 11.	Paid on Account of the Governor, &c. Gentlemen of the Council going to Kissenagore and Moorshedabad		65	11	3
		Paid Mr. Goodlad's Bills, &c. &c.		831	9	6
				<hr/>		
				Carry forward	9,839	7 18

“ Under

				Brought forward Curr. R ^s			9,839	7	18
				“ Under the Head Charges Committee of Circuit.					
Nov. 1772.	Page 12.	Paid Mr. Goodlad's Bill	—	—	—		876	15	6
Dec. ———	Page 10 and 11.	Paid Mr. Stewart's, Rodrigue's, and Goodlad's Bills	—	—	—		8,846	9	—
	Page 15.	Travelling Charges paid Messrs. Lawrell and Middleton, going to Moorshedabad	—	—	—		786	13	9
Feb. 1773.	Page 12.	Paid Mr. Bogle's Bill	—	—	—		1,080	—	—
Mar. ———	Page 10 and 11.	Paid Mr. Graham, coming from Murzapore, and their Paymaster's Draft	—	—	—		3,130	—	3
April ———	Page 7.	Paid Account Committee's Travelling Charges	—	—	—		85,406	6	9
July ———	Page 7.	Paid N. Parker's Bill	—	—	—		496	12	9
				Curr. R ^s					
				1,10,463					

“ From the Moorshedabad Journal.

				Under Profit and Loss.					
Sept. 1772.	Page 12.	Bearers, &c. sent to the Committee	896	13	—				
		Mr. Middleton's Expences	—	—	432	1	5		
				Sicca Rupees					
				1,328 14 5 or C. R ^s					
				1,541 8 2					
				Curr. R ^s					
				1,12,004 10 8					

Q. Whether Mr. Hastings was not a Member of the Committee of Circuit?

A. It appears from the Records that he was.

Q. (*Cross examined by Counsel*). Whether you have a Reference to the particular Parts of the Accounts from which you speak? Does that Paper furnish you with References to the Books from which it is taken?

A. It does.—The Books are here.

Q. Who were the Members of the Committee of Circuit at the Time you are speaking of, and was Mr. Hastings any, and what Time?

A. From the Proceedings of the Committee of Circuit it will appear Mr. Hastings was present from June to September 1772.

Q. What is the Account comprised in the Account delivered in?

A. From June 1772 to July 1773.

Q. Are both of those Months inclusive?

A. There are Payments in each of those Months.

Q. On what day of the month does the First Payment appear to have been made?

A. It is not mentioned in the Books.

• The Witnesses are directed to withdraw.

Then the Managers for the Commons stated, they would proceed further to prove the Receipt of the other Two Lacks of Rupees by Mr. Hastings, for which Purpose they desired a Consultation of the 24th July 1775, might be read, containing a Representation made by Rajah Goordas in the Presence of Mr. Goring, and transmitted to the Board.

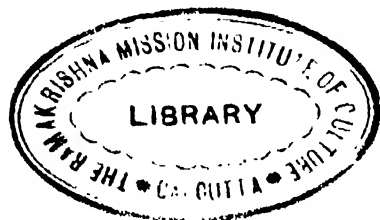
The Counsel for the Defendant objected to any Paper transmitted by Mr. Goring, upon the Ground before taken.

The House informed the Managers for the Commons, that the Paper offered could not be read.

The Managers for the Commons stated, that they offered it to introduce Mr. Hastings's Demeanour thereupon; namely, that he made no Objection to it when received, that he transmitted it to the Court of Directors, and that Rajah Goordas was afterwards appointed by Mr. Hastings to an Office of Trust, though he never had retracted the Charge made against Mr. Hastings in the above Representation.

The Counsel for the Defendant relied upon their Objection.

The House informed the Managers for the Commons, that the Circumstances stated were not sufficient to make a Paper Evidence, which was not so in its own Nature.



The Managers for the Commons stated, That the Paper was already printed in the Appendix.

The Counsel for the Defendant contended, that it was nevertheless open to them to object to any Thing contained in the Appendix if objectionable, when it came to be applied as Evidence.

The House observed, that when the Question about reading Evidence originally came on, the Counsel for the Defendant objected that Parcel of a Writing could not be read without reading the Whole, upon the clear Rule of Law in that respect; and as it was understood that the Rest might be material in subsequent Parts of the Accusation and Defence, it was settled that the Whole of the Paper or Document, as far as it related to the Subject Matter in Question^(a), should be introduced in an Appendix. It would not be considered therefore, that because the Parties were not accurate enough to point out the objectionable Parts of the Evidence at the Time, that they should afterwards be intirely precluded.

Then the Managers for the Commons proposed to read the Appointment of Rajah Goordas before mentioned; but the Book not being at Hand the same was postponed.

Then the House adjourned to the Chamber of Parliament.

(a) Vide supra, Page 419.

Die Fovis, 11^o Junii .1789.

THE Lords being in their Places, the House resumed, the usual Proclamations made, and the Defendant appearing at the Bar, the Lord Chancellor informed the Managers for the Commons they might proceed to make good their Charge.

The Managers for the Commons desired Major Scott might be called.

MAJOR SCOTT was called in accordingly, and examined as follows :

Q. Have you got your Powers of Agency, with your Instructions ?

A. The Instructions I have ; my Power of Agency I have not got ; it was sent to the Company. I suppose my Instructions are what the Honourable Manager means. I have them.

Q. Was there any other Power of Agency besides that which was laid before the Court of Directors ?

A. No other, except the Instructions, which I have brought with me.

The Managers for the Commons desired Major Scott might produce the Instructions.

The Witness was asked by the House, whether he had any Objection to producing the Instructions ?

A. Not the least.

Then a Paper was delivered in by the Witness, and read as follows :

“ Fort William, 5th January 1781.

“ To Major Scott,

“ Sir,

“ I hereby appoint you my Agent for the following Purposes, and for such others as I shall hereafter recommend to you.

“ 1st. I rely on your Friendship for your general Attention to such Points as may in any Manner affect my Authority, or the Interest and Credit of my Administration ; and on your Diligence in transmitting to me the most early and speedy Intelligence of all Matters which it may be necessary for me to know for the Regulation of my publick Conduct.

“ 2d. I request and authorise you to publish any of the Transactions of this Government, the Knowledge and clear Explanation of which shall be necessary to the Vindication of my Character from any Attempts made to depreciate it ; desiring you to use the greatest Caution that no Assertion, Opinion, or Argument escape you for which you have not a sure Warrant, either in the Papers of your own Possession, or in those which are or may be in the Hands of Mr. Sullivan, or in your own Knowledge. As I wish to employ this Resource only in Cases of absolute Necessity, being most unwilling to commit my Name or Actions defensively to the publick Judgement, I desire that you will take no Step of this Kind without consulting Mr. Sullivan, or in the Event of his Absence, Mr. Pechell ; and I shall be obliged to you if you will put your own Name, with the Declaration of my Authority, to every such Publication.

“ 3d. Having experienced much Inconvenience and Doubt from the total Want of Intelligence of the Designs projected by the French Court against our Possessions in India, except in One single Instance, with which you are acquainted, I desire that you will endeavour to devise and establish some authentic and permanent Means for obtaining such Information, both at the Capital and at One of the principal Ports of France, and that you will transmit the same to me at large in the same Series and Form in which you shall yourself receive it, selecting and abstracting the most material Points, whenever you find it necessary to write to me in Cypher.

“ 4th. I desire that you will also endeavour to establish a permanent Line of Conveyance for Letters by Land, either by the Way of Suez, which I would prefer to all others if it shall be practicable, or by that of Bassore, fixing the Stages and Agents in such a Manner as you shall judge the most likely to prove expeditious and sure, observing as much Frugality as such an Arrangement will admit.

" 5th. For the Expence of the foregoing Commissions, and other Charges, which you may incur on my Account, I give you a Bill on my Attornies for the Sum of One thousand Pounds Sterling, and authorize you to draw upon me for any further Amount.

" 6th. I give you Letters of Introduction to Lord North, and the Chairman of the Court of Directors, which I intend as official.

" You will either send or deliver them as you shall be advised, and make an Offer to both of such Informations as you can give them of the State of this Government, and in Explanation of the general Line of Conduct and particular Measures pursued by it.

" Respecting my own Wishes, I have none, but that I may be allowed such a Degree of Confidence and Power as may enable me to discharge the Duties of my Station with Effect, and to support the Interests of the Company and the British Nation in India. My Place is not at this Time an Object of Envy to any Man who values either his Ease or Reputation. I will hold it while it is encumbered with such Difficulties and Dangers as shall, in my Estimation of them, render it dishonourable in me to abandon it; and while I am allowed to possess and exercise the Powers which are inherent in the Government itself.—But when the Safety of the Company's Possessions shall be so well secured as no longer to make it an Obligation of Honour and Fidelity to remain in the Administration of them, or whenever those, under whose Authority I serve, shall either withdraw their Confidence from me, or distribute the Powers of this Government between me and others, in such a Manner as to disable me from employing them in essential Points, according to my own Judgement and Discretion, I shall, in either of these Cases, consider myself as acquitted from every Obligation to remain in the Service; but shall in every Case reserve to myself the sole Right of resigning it, declaring that I will not entrust any Man living with the Power of acting for me for such a Purpose. These Sentiments I deliver to you, that you may make them known without Reserve, and in the most publick Manner, if there shall be an Occasion for it.

" 7th. I desire that I will consult my valuable and most respectable Friend, Mr. Sullivan, on every Subject which shall have a Relation to my public Interest or Credit, and resolve on no material Point without his Advice; and when you cannot have the Benefit of his Assistance, I recommend to you to observe the same Deference and Attention to Mr. Pechel, and General Cailaud, on whose Friendship and Judgement I place implicit Reliance, founded on a long Experience of both.

" I am,

Sir,

Your most affectionate Friend,
Warren Hastings.

" P. S. I shall put into your immediate Possession Copies of all our Proceedings, in a regular Series, which have a Relation to the Maratta War. These, and all other Papers which I may hereafter have Occasion to send to you, you will be so good as to keep apart, properly labelled, and return to me whenever we meet, if in England, as I may have Occasion to employ them hereafter.

W. H."

Q. (by the Managers). Are those the original Instructions?

A. They are in Mr. Hastings's Hand-writing, which he delivered to me, before I left Bengal; upon the Day of the Date of them.

Q. Whether Mr. Hastings has other Agents in England besides you, or had at that Time?

A. I do not believe that he had: He had an Agent in England, Colonel Maclean, who is dead.

Q. Was Major Fairfax his Agent?

A. Major Fairfax did not leave Bengal till a Year after me; and he was not Mr. Hastings's Agent.

Q. Did you communicate with Mr. Sullivan when you presented that Paper to the Committee?

A. I do not understand what Paper is meant.

Q. The Letter purporting to be a Letter from Munny Begum, together with the Translation mentioned Yesterday.

A. Certainly I did not, and for this Reason, that I deemed it of no Sort of Consequence.

Q. If you deemed the Letter of no Consequence, why did you present it to the Committee?

A. When I say I deemed it of no Sort of Consequence, I mean as having a Reference to any Instructions received from Mr. Hastings; and I should conceive, with your Lordships Permission, that it would be right to state the Ground upon which I came to this Country as Agent for Mr. Hastings, in order to shew that more clearly.—In the latter End of the Year 1780, the Situation of the British Government in India was very serious and alarming; we were involved in a War with the Mahrattas and with France, and a Dutch War was expected; just at that Period the Carnatic was invaded by Hyder Ali Khan.

The

The Managers for the Commons objected to the Witness going into Matter foreign to the Enquiry.

The House observed, that the Witness was now offering to explain the Ground, about which a Doubt had been suggested, why it was proper for him to carry this Paper before the Committee, and that Credit must be given to him, that he would apply himself closely to the Matter of such Explanation.

(Witness.)—I mean to be strictly applicable to the Question put to me by the Managers, not wishing to waste the Time or divert the Attention of this Court with any Thing that is impertinent. In that Situation the Carnatic was invaded by Hyder Ali Khan, and by his first Operations near a Third of our Army was destroyed: At the same Period the Government of Bengal received Intelligence that a very considerable Armament was on its Way from France to the Coast of Coromandel.

The Managers for the Commons repeated their Objection.

The House observed, that it was difficult to foresee how the Terms of the Explanation, as hitherto stated, would conclude to the Point in Question; but at the same Time, as it was not easy to lay down a Rule at the Commencement of an Undertaking of this Sort, by which a Witness ought to conduct himself afterwards, Credit must be given that he meant to bring it home some Way or other.

The Witness then proceeded, as follows:

A. Precisely at that Period, Mr. Francis, a Gentleman who was a Member of the Supreme Council, had declared his Intention of proceeding to England. It had happened that some Months previous to this, I was a Sort of a Party in bringing about a Coalition between Mr. Hastings and Mr. Francis; and at the Period when Mr. Francis expressed his Intention of going to England, I had quitted Mr. Hastings's Family, and commanded a Battalion of Sepoys at Chunargur; from that Garrison I wrote to Mr. Hastings, and told him, that as Disputes had been carried to so violent a Height between Mr. Francis and himself respecting the Mahratta War, I did conceive that Mr. Francis, returning to England, and speaking of Events that had recently happened, should be met by some Person or other on the Part of Mr. Hastings: That as the Battalion I commanded would probably remain Two or Three Years in Garrison, if there was no other Gentleman of his Family, or who had been in his Family, and was acquainted with the Transactions of India, whom he chose to send, I offered myself for that Service. I soon after came to Calcutta, and embarked for England, on the Seventh or Ninth of January 1781, with these Instructions. But as I had not the most distant Idea then, nor at the Time I was examined by the Select Committee relative to this Business of Munny Begum, that any One Matter which had happened so early as the Year 1775, antecedent to Three several Appointments by the Legislature of Mr. Hastings to be Governor General of Bengal, I certainly thought it quite unnecessary to communicate upon any Subject of that Kind with Mr. Sullivan.

The Managers for the Commons stated, that the Witness had not answered the Question last put to him, and desired that the Two preceding Questions might be read.

The same were read accordingly.

Q. Did you communicate with Mr. Sullivan when you presented that Paper to the Committee?

A. I do not understand what Paper is meant.

Q. The Letter purporting to be a Letter from Munny Begum, together with the Translation mentioned Yesterday?

A. Certainly I did not, and for this Reason, I deemed it of no Sort of Consequence.

Q. If you deemed the Letter of no Consequence, why did you present it to the Committee?

A. When I say, I deemed it of no Sort of Consequence, I mean as having a Reference to any Instructions received from Mr. Hastings; and I should conceive, with your Lordships Permission, it would be right to state the Grounds on which I came to this Country as Agent to Mr. Hastings, in order to shew that more clearly.—In the latter End of the Year 1780, &c. (a)

Q. (by Managers). I desire that the Witness will answer the Question, Why he came to deliver that Paper to the Committee, when he thought it of no Consequence?

A. I do not know how I can explain that without being thought guilty of something or other impertinent to the Committee themselves, in presenting a Paper to them which I thought of no

Consequence; it did not appear to me at the Time to be of any Consequence. It was a Paper that I read in part at the Time Mr. Baber gave it me; I am sure I did not read it through. They were examining Mr. Goring before the Committee at the Time. This Paper, as far as I read it, contained an Account of Mr. Goring having behaved in an oppressive Manner to her, and I brought it to the Committee without having read it through.

The Managers for the Commons desired the Witness might give a direct Answer, why, thinking this Paper of no Consequence, he delivered it to the Committee.

The Witness was asked,

Q. Can you recollect any Inducement you had for communicating to the Committee a Paper which you thought of no Consequence?

A. Indeed I cannot.

Q. Was it communicated to Mr. Pechell?

A. Mr. Pechell had died several Months before, or some Time before.

Q. Whether it was communicated to General Caillaud?

A. No; he lived altogether in Oxfordshire I believe; I very seldom saw him.

Q. Had you any, and what Discourse with Mr. Baber at the Time?

A. Mr. Baber told me he had a very curious Paper, which he would give me to make use of if I pleased. I believe I mentioned Yesterday the Discourse I had with Mr. Baber, which was expressing my Astonishment and Surprise to him, that the Committee should go upon that Enquiry.

Q. Why, as Mr. Baber considered it as a curious Paper, you considered it as a Paper of no Consequence, not having read it?

A. I mean of no Consequence as a Reference to the Instructions of Mr. Hastings, which I considered as relating to great political Points, and not to such a foolish Thing as this.

The Managers for the Commons objected to the Answer of the Witness as disrespectful, and desired it might be read.

The same was read accordingly.

A. I mean of no consequence as a Reference to the Instructions of Mr. Hastings, which I considered as relating to great political Points, and not to such a foolish Thing as this.

(Witness.) I hope your Lordships will indulge me a few Words in Explanation. I meant this foolish Paper of the Begum's Writing, not the Cause the Honourable Managers are engaged in.

Q. The Witness has said, he thought this Paper of no Consequence; he had not read it through, but he read far enough to see that there was a Charge against Mr. Goring, for oppressive Behaviour. Was that the Object for producing the Paper?

A. Not as meaning to criminate Mr. Goring, but to shew the Violence to which Party was carried at that Time. I looked upon Mr. Goring as an Agent employed by the Gentlemen who sent him up.

Q. Whether you conceived, that if it appeared in that Paper, that Mr. Goring had used oppressive Conduct to the Begum, that it would not invalidate the Charge contained in it against Mr. Hastings?

The Counsel for the Defendant objected, that what the Witness conceived at the Time he produced this Paper, was no Evidence against Mr. Hastings.

The Managers for the Commons contended, that it was competent to them to put the Question, and desired an Answer.

Then the Question was read by the Clerk.

Then the House adjourned to the Chamber of Parliament.

The Lords being returned, the House resumed, the usual Proclamations made, and the Defendant appearing at the Bar, the Lord Chancellor said: "Gentlemen, Managers for the Commons, and you, Gentlemen, who are of Counsel for the Defendant, the Lords have resolved, That the Question last proposed by the Managers for the Commons, ought not to be put, and have directed me to acquaint you therewith."

Then

Then Major Scott was again called in, and asked,

Q. Whether at the Time you produced this Paper, Mr. Goring was giving Evidence before the Committee?

A. I am not quite sure, but I believe he was.

Q. Did you know the Effect of Mr. Goring's Evidence at that Time?

A. I believe I was present when Mr. Goring gave it.

The Counsel for the Defendant objected, that this was pursuing the Line which the House had decided against.

Q. Did you hear that Evidence?

A. I did.

Q. Whether it was not with an Intention to invalidate that Evidence that you produced the Paper?

The Counsel for the Defendant objected, that the Intention of the Witness in producing the Paper could not affect the Defendant.

The Managers for the Commons stated, they should shew that the Purpose for which Major Scott produced this Letter was authorized by the Defendant, and then the Contents would be admissible in Evidence against him. They would however postpone the Question, for the present, and ask,

Q. Whether Major Scott did not send a Copy of the Eleventh Report to Mr. Hastings?

A. I believe I answered that Question Yesterday, that I did, at the latter End of the Year 1783, or the Beginning of 1784, when it was published, by one of the Ships of that Season.

Q. Whether you do not know that the Circumstance of your having delivered this Paper in to the Committee is stated in that Report?

A. In the Report it is stated, and treated with a Degree of Derision and Contempt.

The Counsel for the Defendant objected to the Witness being examined as to the Contents of the Report, and that the Original ought to be produced.

The Managers for the Commons offered to produce it if necessary.

The Counsel for the Defendant said, that, to save Time, they would waive the Objection.

Q. Do you remember this Passage; "Your Committee examining Mr. Scott and Mr. Baber on this Subject, they also produced a Persian Paper, which Mr. Baber said he had received from the Hands of a Servant of Munny Begum, and along with it a Paper, purporting to be a Translation into English of the Persian Original?"

A. I do remember that Passage perfectly well.

Q. Do you know whether Mr. Hastings received that Report?

A. I certainly do not.—And if I may be allowed to say, why I think it probable he did not, I will state why. It could not possibly leave England earlier than the Month of January 1784. It was published as early as possible after the Commencement of that Session of Parliament which met in November 1783.—Immediately after it was published by the House of Commons, it was printed as a Pamphlet by a Bookseller in Piccadilly, and sent by him, I believe, to a great Number of your Lordships. I bought it, and sent it to Mr. Hastings.—It could not have arrived in Bengal before the Month of July or August 1784, when Mr. Hastings was at Lucknow; and as it was a bulky Packet, I think it exceedingly probable, that it was not sent to him from Calcutta to Lucknow.—Whether he received it I cannot tell, but I think the Chances are equal that he did not receive it.

Q. Did Mr. Hastings return to Calcutta from Lucknow?

A. He did in the Month of November, and quitted India the following February; and I think he would have had too much to do then to read that Report—particularly as the Business appeared to be at an End by the Dissolution of Parliament, and a total new Arrangement.—The Report was forgotten.

Q. I asked, whether he received it; not whether he read it?

A. I cannot possibly tell.

Q. Whether you believe Mr. Hastings received it ?

The Counsel objected, that the Witness ought to be asked as to his Knowledge of the Fact.

Q. (*by the Managers.*) Whether Mr. Hastings ever blamed you for having exceeded your Powers in producing this Paper ?

A. Never ; and I believe it is only within these few Days that Mr. Hastings ever mentioned the Circumstance to me, or I to him ; and I should rather believe that he did not know it had been made Part of the Report ; at least I believe I did not send the Appendix ; and it is in the Appendix.

Q. Whether you did not know that, previous to the Publication of the 11th Report, there is considerable Matter relative to this Transaction in the Appendix to the Ninth Report ?

The Counsel for the Defendant objected, that the original Report itself ought to be produced.

Q. Whether you transmitted the Ninth Report to Mr. Hastings ?

A. I believe in the same Manner as I did the Eleventh ; that also was transmitted as a Pamphlet.

Q. Are you sure that you transmitted him the Ninth Report as a Pamphlet only, and not the Report as printed by the House ?

A. It is impossible for me to be sure of it ; but I believe I did not, because it was easy to buy a Pamphlet, and not easy to procure a Copy of Parliamentary Reports with the Appendixes. I had a Difficulty to procure one for myself, and I believe I did not.

Q. Whether, having produced this Paper as you state with regard to Mr. Goring, you knew or was informed that there was any Thing in the Body of that Paper which touched this Point, before you saw it in the public Report ?

Question objected to by the Counsel for the Defendant.

Q. Did you send out by the Ship by which you sent the Eleventh Report, any other Letter to Mr. Hastings ?

A. By the same Ship that carried out this Pamphlet, purporting to be the Eleventh Report, I certainly sent Mr. Hastings a very particular and full Account of the Proceedings in Parliament then pending, relative to Mr. Fox's India Bill ; that Subject certainly took up all my Attention, and I am certain that I never mentioned a Word of the Eleventh Report, but merely sent it, for we were very busy upon that Subject relative to the Company, and did not think of the Eleventh Report.

Q. Do you know whether Mr. Hastings did or did not receive that Letter ?

A. I know I had a Letter from Mr. Hastings, dated at Lucknow, in the Month of June or July ; and in that Letter, which came Over-land, he mentioned that he had received my Over-land Letters relative to the Progress of Mr. Fox's Bill in Parliament ; that it had then been read a Second Time in the House of Commons. I know that subsequent to that, I had a Letter, dated in the Month of September 1784, in which Mr. Hastings says, " I have received a Variety of Letters from you, Originals, Duplicates, and Triplicates, up to the Period of the Dissolution of Parliament," but without specifying any Thing further.

Q. Whether Major Scott knows that Mr. Hastings received the Letter transmitted to him by the same Ship which conveyed the Eleventh Report ?

A. I have given an Answer already, that I had those Two Letters ; I suppose there were Thirty or Forty Letters, Originals, Duplicates, and Triplicates, which Mr. Hastings, in that general Manner, acknowledges the Receipt of. I will not answer positively ; but if your Lordships think it right, I will bring the Letter to prove the Fact. I do not believe that in any Letter I sent Mr. Hastings, I mentioned that I had sent the Eleventh Report, because at this Period Mr. Fox's Bill was in its Progress through the House of Commons, and my Correspondence with Mr. Hastings was at that Time undoubtedly relative to the Danger the East India Company was in, and not himself.

Q. My Question was, Whether you had not Reason to think, that the Letter you sent by that Ship was received, aye or no ? What Ship did you send it by ?

A. That was in the Beginning of the Year 1784 ; we are now speaking at the Middle of the Year 1789 ; I am sure I cannot tell.

Q. Nor by any Note or Memorandum ?

A. I will not say that ; perhaps my Letter may be headed—" By the Ship Royal Charlotte," or any other.

Q. (by a Lord). I wish to draw your Recollection as to the Subject of the Time of the Irruption of Hyder Ally into the Carnatic; because, as it stands upon your Evidence, you are mistaken. Can you recollect the Date of the Irruption of Hyder Ally into the Carnatic?

A. I believe it was in the latter End of July 1780.

Q. (by a Lord). I understand you said, that this Paper was not in your particular Instructions, and yet that you had never read the Paper through; by what Means did you know that it was not in your Instructions, as you had not read the Paper through—Did you, or did you not, know that the Papers did relate to your Instructions?

A. I certainly must know that it did not, and could not; because I knew enough of the Paper from what I read, without reading it through, to know that it purported to be a Translation of a Letter written by Munny Begum, complaining of Hardships she sustained by the Deputation of Mr. Goring, which took place in the Month of May 1775. My Instructions, as I conceived them, went entirely to great and important political Points that had recently happened, previous to my leaving India, in the Course of the Year 1780.

Q. Did you state, whether your Instructions were limited in Point of Time?

A. The Instructions are before your Lordships, and will speak for themselves.

Q. (by a Lord). Whether you had any other Character, in which you appeared before the Committee, except as Agent for Mr. Hastings, and what Character?

A. I received a Summons from Time to Time from the Committee to attend them, which I did, and they examined me, I believe, in the Character of Mr. Hastings's Agent. It depended upon them how they meant to consider me, and I appeared in Obedience to their Summons, as any English Gentleman would of Course do, if summoned. They would give me what Character they pleased.

Q. (by a Lord). Then having Two Characters there, that of an Agent, and that of a Gentleman at large, I wish to know in which of these Characters you produced these Papers.—Did you produce them as conceiving yourself merely as the Friend of Mr. Hastings?

A. That Paper is marked on the Back, 'Produced by me on the 8th of May 1782.' There is not, in the Report, any Examination of me till 1783, and that is the Period that I speak to, of 1783. I should suppose I did not merely give them in to the Committee. If any Thing passed before the Committee, it must have been said in Conversation, or some Way, but what was said I don't recollect; my Examination was several Months subsequent to it. This I remember, that I brought them from Mr. Baber, and gave them in the next Day to the Committee.

Q. (by a Lord). Then having read a Part of these Letters, did you deliver them in to the Committee in consequence of any Thing you did see in the Part you did read? Upon what Account did you deliver that Paper in to the Committee?

A. I think I have already said, the Begum's complaining of the Oppression and the Injury she suffered by the Deputation of Mr. Goring.

Q. That was upon the Part you had read?

A. It was. But whether I read it, or Mr. Baber read that Part of it to me, when he opened it, I don't recollect.

Q. (by a Lord). You stated, as I understood, that you had produced the Paper to the Committee, thinking it of no Consequence.—You was asked, Why you produced it to the Committee thinking it of no Consequence? I understood your Answer was, I cannot well answer that Question without Incivility to the Committee—Now I want to know what you meant by that last Answer?

A. My Lords, what I am sure I said to Mr. Baber at the Time, the Impression was then upon my Mind, and the Impression upon my Mind now is this, that it was going again over a Subject that had become obsolete; and I mentioned it to Mr. Baber perhaps in a ludicrous Manner, and in an improper Manner perhaps when speaking of a Committee of the House of Commons; but the Court of Directors, having published all the Papers relative to Munny Begum in 1776, having had legal Advice upon it, and having totally dropped it; and Mr. Hastings having Three several Times since that Period, been appointed by the Legislature Governor General of Bengal, I thought it extraordinary and ludicrous in the Committee taking the Matter up again; and probably I spoke in a Manner to Mr. Baber at the Time that was not proper to speak of a Committee of the House of Commons, thinking the Enquiry was of no consequence at that Time.

Q. (by Managers.) Whether when you First appeared before that Committee, you appeared as Agent to Mr. Hastings?

A. I believe the Cause of my First Appearance before the Committee was either a Note sent by Sir Gilbert Elliot, or a Conference between Sir Gilbert Elliot and Mr. Pechell: Sir Gilbert Elliot either mentioned it, or wrote to General Smith, in consequence of which I was summoned, and I believe the First Question put to me, drew an Answer from me which I wished to give—that I did appear as Agent of Mr. Hastings.

Q. Were

Q. Were you required to produce that Paper by the Committee, or did you produce it of your own Head?

A. I should rather think I produced it of myself.

Q. Did you ever give Notice to the Committee at any Time when you appeared before them, that you did not appear as the Agent of Mr. Hastings.

A. Never, never; I had no Idea of it.

The Witness was directed to withdraw.

Then the Managers for the Commons desired that the general Powers of Major Scott, as Mr. Hastings's Agent, might be read.

The same was read from the printed Minutes of the Evidence, Page 570, as follows:

“ To the Chairman of the Court of Directors.

“ Sir,

“ Having thought proper to appoint an Agent at home for the Purpose of attending to my political Interests, and managing all my public Concerns, I take this Opportunity of acquainting you, that I have selected Major Scott for this Service, and have furnished him with suitable Instructions; and as this Gentleman is possessed of every necessary Information relative to the State of this Government, he will be ready to communicate with you on all Matters wherein you may think it proper to ask his Opinion.

“ It is material to me to make one Observation—that, in my Instructions to Major Scott, I have particularly provided that I will suffer no Person whatever to perform any Act in my Name, that shall be construed to imply a Resignation of my Authority; protesting against the Exercise of so dangerous a Power, from its having been assumed, upon a former Occasion, without being warranted by my Consent, or by any previous Instructions that could bear the most distant Tendency to such a Measure.

“ I have the Honour to be,

Sir,

“ Fort William,
Jan. 6, 1781.

Your most obedient and most humble Servant,
Warren Hastings.”

The Managers for the Commons stated, that having proved that the Translation of the Munny Begum's Narrative was sent to the Defendant at Calcutta, inclosed in a Letter from Mr. Baber by the Dawke or Post, the legal Presumption was, that such Letter and Translation were received by the Defendant—that they had accordingly given him Notice to produce the Translation, and, as he had not done so, they were now entitled to read the Copy already in their Possession.

The Counsel for the Defendant objected, 1st, That this was an insufficient Proof of the Receipt of the Letter and Translation by the Defendant; and 2dly, That there was no Demeanour of the Defendant in Proof to shew he adopted the Contents of the Paper, if he did receive it.

The Managers for the Commons stated, that the Demeanour they rested upon was, that the Defendant had suppressed the Paper in question both from the Supreme Council and from the Court of Directors: And they further stated, that having proved the Agency of Major Scott, and his Delivery of the original Persian Paper, and a Copy of the Translation which had been sent to the Defendant, to the Select Committee, he also acknowledging that he never appeared in any other Character than as Agent to the Defendant before the same Committee, on these Grounds, they were now entitled to have the Paper read.

Then Major Scott was again called in, by Desire of a Lord, and asked,

Q. (by a Lord). You have said, that you did not conceive that the Paper had any Thing to do with Mr. Hastings?

A. I do not recollect that I have.

Q. Did not you know, when you delivered in any Paper, whether favourable to Mr. Hastings or not, that it was binding upon your Principal, even though you might not be acquainted with the Contents of it.

A. I do not believe I thought any Thing about the Matter.

Q. (by a Lord). Whether Mr. Hastings ever found Fault with you for producing that Paper?

A. I cannot tell whether Mr. Hastings ever knew that I did produce it, till a few Days ago, when we were talking about it, and then he did not find Fault with it.

The Witness was directed to withdraw.

The Counsel for the Defendant insisted on their Objection.

Then Major Scott was again called in, by Desire of the Managers, and asked,

Q. (by Managers). Did you ever produce to that Committee any Instructions limiting your Commission?

A. When I came before the Committee I brought that Paper which has been read at large, and one short Extract I read from that Paper which is entered upon the Minutes of the Committee.

Q. Was any Thing else read to the Committee besides that Extract?

A. No, from those Instructions.

The Witness was directed to withdraw.

Then the Managers for the Commons desired that the Paper might be read upon the Grounds before-mentioned, and more especially, as by the Evidence just given by the Witness, it appeared that the Defendant had never found any Fault with the Witnesses for delivering the said Paper to the Select Committee.

Then the Instructions given to Major Scott by the Defendant were again read by direction of the House. (a)

Then the House adjourned to the Chamber of Parliament.

(a) Vide supra, Page 1051.

Die Mercurii, 17^o Junii 1789.

THE Lords being in their Places, the House resumed, the usual Proclamations made, and the Defendant appearing at the Bar, the Lord Chancellor said,

“ Gentlemen, Managers for the House of Commons, and you, Gentlemen, who are of Counsel for the Defendant, the Lords have resolved, That the Persian Paper, purporting to be a Letter from the Munny Begum, and the Translation of the same, offered in Evidence by the Managers for the House of Commons, ought not to be read.—Gentlemen of the House of Commons, you may proceed to make good your Charge.”

The Managers for the Commons stated, that the next Body of Evidence they should produce related to the Re-appointment of Munny Begum and Rajah Goordass by Mr. Hastings to the Employments from whence they had formerly been removed by a Majority of the Board, and which Removal had been sanctioned by the Court of Directors, notwithstanding Mr. Hastings well knew that they had produced public official Accounts, charging him, in the Whole, with the Receipt of Three Lacks and a Half of Rupees.

Read, from Book 77 already delivered, the following Extract of a Consultation of the 11th May 1778, beginning at Page 231 of the same Book.

“ Fort William, 11th May 1778.

“ At a Council; Present,
• The Honourable Warren Hastings, Governor General, President;
Rich^d. Barwell,
Philip Francis, } Esquires.
Edward Wheler,

Secret Dept.
Monday.

- “ The Proceedings of the 4th instant read and approved.
- “ Considered the Governor General’s Motion made at the last Meeting.
- “ Read the Nabob Mobareck ul Dowlah’s Letter entered in that Consultation.
- “ Mr. Wheler delivers in his Opinion on this Subject as follows:

“ Fort William, 6th May 1778.

“ Mr. Wheler.—Having already given my Opinion on the Nabob Mobaruk ul Dowlah’s Request to be declared of Age, and on the several Requisitions made by him in his Letter, received the 12th of February, and recorded in Consultation 23d, and declared that for many Reasons I think a Question of so much Importance ought to be referred to the Honourable the Court of Directors for their Decision; it becomes, in a great Measure, unnecessary for me to enter into any further Discussion of the present Question, at least so far as regards the Nabob’s Rights as Nazim; but I must confess my Surprise to see a Letter from him produced at this Board, in which he assumes a Right to dispose of the Company’s Money to his own Family, and appoints People to Offices whose Conduct may affect the Welfare of all the Inhabitants of these Provinces, and whose Salary is to be paid by the Company, and this without the least Interference on our Part, or advising with this Board, in whom the governing, ordering, and managing the Territorial Revenue, and consequently the Care and Protection of the Inhabitants of these Provinces, is vested by Law, whether such Persons are fit for the high Trust to which he has appointed them, and whether their Appointment meets with our Approbation.

Mr. Wheler’s
Minute on the
Nabob Mobar-
eck ul Dow-
lah’s Letter.

“ The 2,40,000 Rupees allowed to Mahomed Reza Khan, and which the Nabob has thus disposed of, is Part of Three Lacks of Rupees per Annum, ordered by the Company for the Support of a Political Minister of the Circar, whom they direct shall be recommended by us to the Nabob; and this having already been done in the Person of Mahomed

Reza Khan, his Appointment confirmed by the Nabob, and since reported to, and approved by the Company, I see no reasonable Ground, at present, for removing him, to substitute other Persons.

“ Munny Begum and Baboo Begum have already ample Allowances from the Nabob's Stipend, as Part of his Family, and I see no Cause, either from their Circumstances or Situation, that requires our disposing of the Company's Property to them.

“ On the above Grounds, I dissent to the Motion made by the Governor General, viz. that the Board do agree to comply with the Requisitions contained in the Nabob Mobaruk ul Dowlah's Letter now before the Board.

“ Mr. Francis also delivers in his Opinion as follows :

7th May 1778.

“ Mr. Francis.—By the Governor General's Letters to the Nabob, and to Mahomed Reza Cawn, of the 7th March, it appears, that the latter was dismissed from his several Offices, because the Nabob was arrived at Years of Maturity; in consideration of which, the Board resolved to place the Controul of his Household, and of the Courts dependent on the Nizamut and Fouzdarry, in his own Hands. He now desires that another Naib may be appointed to execute these Offices; and so far is he from thinking himself capable of conducting the Business of the Nizamut, that he even desires the Assistance of Rajah Goordafs to manage his Household. On this Proposal I shall only observe, that if Naibs are necessary, the Reason assigned for removing Mahomed Reza Cawn is groundless, and used only as a Pretence for carrying that Point.

“ The Nabob is also pleased to recommend, that out of Mahomed Reza Cawn's Salary, 72,000 Rupees a Year shall be given to Munny Begum, on account of her great Expences; and 36,000 to his Mother, who is said to be straitened in her Allowances. These Ladies are liberally provided for already; but the Nabob may increase their Allowances, if he thinks proper. He has no Right to exercise his Bounty at the Company's Expence.

“ Not content with distributing the Whole of Mahomed Reza Cawn's Salary among these Persons, he desires that the Company will add 18,000 Rupees more to it, in order that there may be no Failure in his own Income. Whatever may be the Fate of the other Arrangements proposed in this Letter, I hope the Board will not consent to purchase the Removal of Mahomed Reza Cawn with any additional Expence to the Company. As Trustees to the Company we have no discretionary Power to give away their Property.

“ The proposed Allotment of the Salary itself, without any Addition to it, is liable to a very weighty Objection. By the Company's General Letter of the 28th August 1771, the annual Sum of Three Lacks, of which the above Salary makes a Part, was expressly appropriated to the Support of a Minister who should be appointed to transact the political Affairs of the Sircar. It is the Salary which the Company intended for the Minister of the Country Government. It is the Company's Property, and the Nabob has nothing to do with it. When they hear it is no longer applied to the Use for which it was granted, they will naturally conclude, that it has been made a Saving in their Treasury. They will never think it possible, until Advice of the Resolution of this Day shall reach them, that the Salary which they had granted and appropriated to the Support of a Minister of the Government, should be taken from a Man, whose Appointment to that Station they had expressly approved of, and divided among Two old Women, an old Man, whom they had never heard of, and the Son of Nundcomar.

“ I hope these Considerations will have Weight with the Board; if not, I have done my Duty, and am satisfied the Company will think so.

“ Mr. Barwell.—I assent to the Governor General's Motion.

1778.

“ Resolved, That the Nabob's Requisitions, which are as follow, be complied with.

“ That Sudder ul Huck Cawn and Raja Goordafs be directed to repair to Moorshedabad to receive Charge of the Offices intended for them by the Nabob Mobarek ul Dowlah, and to be invested with Khelauts on the Occasion of their Appointment.

“ That Sudder ul Huck Cawn be allowed 6,500 per Menssem, or 78,000 Rupees per Annum, out of the Salary of 2,40,000 per Annum, lately annexed to the Station of Naib Souba. That Raja Goordafs be allowed 6,000 Rupees per Menssem, or 72,000 Rupees per Annum, from the same Fund. That an Allowance of 6,000 Rupees per Menssem, or 72,000 Rupees per Annum, be made to Munny Begum from the same Fund for the Support of her Expences. That an Allowance of 3,000 Rupees per Menssem, or 36,000 Rupees per Annum, be also made to the Nabob's Mother, the Baboo Begum, from the same Fund; but as this Fund will be insufficient to defray all the above Charges:

“ Resolved, That 1,500 Rupees per Menssem, or 18,000 Rupees per Annum, be added thereto.

“ Ordered, That these Resolutions be notified to the Chief and Council at Moorshedabad, and to the Resident at the Durbar; and that the Governor General be requested to reply accordingly to the Nabob's Letter.—The following Letters are accordingly written to the Resident at the Durbar, and to the Chief and Council at Moorshedabad.

“ To

(1063)

" To Mr. B. Martin.

" Sir,

" We enclose, for your Information, Copy of a Letter, which we received from the Nabob Mobarek ul Dowla, and which we thought proper, in Consultation of 5th May last, to comply with.

" The Nabob having proposed to us sundry Regulations consequent to the Removal of Mahomed Reza Cawn from the Office of Naib Suba, we also enclose a Copy of this Letter, with our Resolutions upon it of this Day; in Conformity to which, we direct that you apply for the annual Sum of 2,58,000 Rupees, from the Chief and Council at Moorshedabad, in lieu of the Salary lately paid to Mahomed Reza Cawn, and issue the same in the Proportions allotted to the different Persons mentioned by the Nabob.

" We are, &c.

Signed at the End of the Consultation,

" Fort William,
11th May 1778.

" Warren Hastings,
Rich^d Barwell,
P. Francis,
Edw. Wheler."

To shew the Sentiments of the Court of Directors upon the above mentioned Proceedings,

Read, from Book 44 already delivered in, the following Extract of a General Letter from the Court of Directors to the Governor General and Council at Calcutta, dated 4th February 1779.

Par. 8. " We by no Means approve your late Proceedings, on the Application of the Nabob Mobareck ul Dowlah, for the Removal of the Naib Subahdar. The Requisition of Mobareck ul Dowlah was improper and unfriendly; because he must have known, that the late Appointment of Mahomed Reza Khan to the Office of Naib Subahdar, had been marked with the Company's special Approbation, and that the Court of Directors had assured him of their Favour, so long as a firm Attachment to the Company's Interest, and a proper Discharge of the Duties of his Station, should render him worthy of their Protection. We therefore repeat our Declaration, that to require the Dismissal of a Prime Minister thus circumstanced, without producing the smallest Proof of his Infidelity to the Company, or venturing to charge him with one Instance of Mal-administration in the Discharge of his public Duty, was improper, and inconsistent with the Friendship subsisting between the Nabob of Bengal and the Company.

Bengal,
Mahomed
Reza Khan.

9. " Admitting the Nabob's Complaint, that Mahomed Reza Khan is not connected with him by relative Ties, to be well founded, it by no Means follows that he has been deficient in Duty, or sincere Attachment to him, or that his Power is oppressive and dishonourable to the Nabob and his Family; nor can Assertions of this Nature, unattended by Proof, have any Weight with us.

10. " In regard to the Nabob's Claim, to take Charge of his own Affairs, merely because he is of Age, and thinks himself capable of conducting them, we find it declared by one of your Members, and not contradicted, that he knew with Certainty, that the Nabob is in his own Person utterly incapable of executing any of those Offices which were deemed of essential Importance to the Welfare of the Country; and we are sorry to find, that neither this Declaration, nor the Protests of Two Members of the Council, seem to have been thought worthy of an Answer, or even of Consideration by the Majority of the Board.

11. " The Nabob hopes, from your Favour and Regard to Justice, to be delivered from the Authority of Mahomed Reza Khan. He ventures to declare the Company solely indebted to the warm Support of his Ancestors for their present Greatness and Advantages. He claims the Management and Administration of the Subahdarrie as his Right, and says it will be highly inequitable in the Company to refuse their Approbation to his Request.

12. " We pass over these extraordinary Suggestions of the Nabob without Reply; only observing, that in Justice to him and ourselves, we must take the best Care in our Power of the Peace and internal good Government of the Country; and we are not disposed to hazard the Effects which might be occasioned by committing the entire Management thereof to his Inexperience, without enjoining him to accept such Assistance, and to employ such Ministers about his Person, as may be deemed necessary on the Part of the East India Company.

13. " The 23d February, we find the Nabob's Letter, and a Question thereon, were circulated to the different Members of the Board, for their Opinions, to be taken at the next Meeting of Council; which Meeting happened on the 2d of March, but One of the Members being indisposed did not attend at that Board.

14. " We have carefully noticed your Debates on the Subject. The Resolution of Council of that Day, ' That the Nabob's Letter should be referred to the Decision of the Court of Directors,

Approved in
Com. 4 Feb.
and 1779.

and that no Resolution should be taken in Bengal on his Requisitions, without our special Orders and Instructions,' appears to us very proper; we must therefore express our Disapprobation on finding the said Resolution rescinded, on the frivolous Pleas urged by the Majority of the Board Three Days afterwards.

15. " If the Absence of a Member of Council were sufficient to preclude the Discussion of any Subject, which might have been referred for Consideration by a former Board, or to invalidate Resolutions taken during such Absence, it would be in the Power of any Member effectually to defeat the Ends proposed by the Institution of a Council, and to put a total Stop to publick Business whenever he thinks proper. We shall not waste Time in refuting Claims of Privilege advanced on this Occasion, because they appear to us unworthy of Consideration, and beneath all Argument.

16. " The Nabob having intimated, that he had repeatedly stated the Trouble and Uneasiness which he had suffered from the Naibship of the Nizamut being vested in Mahommed Reza Khan, we observe One of the Members of your Board desired the Nabob's repeated Letters on the Subject might be read; but this reasonable Request was over-ruled, on a Plea of saving the Board's Time, which we can by no Means admit as a sufficient Objection.

Approved in
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1779.

17. " The Nabob's Letters of the 25th and 30th of August, of the 3d of September and 17th of November, leave us no Doubt of the true Design of this extraordinary Business being to bring forward Munny Begum, and again to invest her with improper Power and Influence, notwithstanding our former Declaration, that so great a Part of the Nabob's Allowance had been embezzled or misapplied under her Superintendance.

18. " Instead of your declaring that the Nabob's Demands were grounded on positive Rights, which will not admit of Discussion, that the Nizamut is his Inheritance; that the Dependants of the Nizamut, Adawlut, and Foujedary appertain to that Inheritance; that as he is pleased to demand and assert the positive Rights of his Office, as Nazim of the Provinces, there is no Ground for denying his Request; and that a Reference to the Company would be an Evasion, unbecoming the Honour of Government; the Nabob might have been reminded, that a Naib Subadar was appointed, and the Office continued without Interruption or Objection during the Government of his Ancestors, who must have been supposed more capable of governing the Provinces than a Youth of Twenty Years of Age.

19. " You have requested this inexperienced young Man to permit all the present Judges and Officers of the Nizamut, and Foujedary, Adawlets or Courts of Criminal Justice, and also all the Foujedars, or Officers appointed to guard the Peace of the Country, to continue in Office until he, the Nabob, shall have formed a Plan for a new Arrangement of those Officers; and it is with equal Surprise and Concern that we observe this Request introduced, and the Nabob's ostensible Rights so solemnly asserted at this Period by our Governor General, because on a late Occasion, to serve a very different Purpose, he has not scrupled to declare it as visible as the Light of the Sun, that the Nabob is a mere Pageant, and without even the Shadow of Authority. No Circumstance has happened since that Declaration was made, to render the Nabob more independent, nor to give him any additional Degree of Power or Consequence; you must therefore have been well apprized, that your late Concessions to Mobareck ul Dowlah were unnecessary, and as such unwarrantable.

20. " As we deem it for the Welfare of the Country that the Office of Naib Subahdar be for the present continued, and that this high Office should be filled by a Person of Wisdom, Experience, and of approved Fidelity to the Company; and as we have no Reason to alter the Opinion given of Mahomed Reza Khan, in our Letter of the 24th of December 1776, we positively direct, that you forthwith signify to the Nabob Mobareck ul Dowlah, our Pleasure, that Mahomed Reza Khan be immediately restored to the Office of Naib Subadar; and we further direct, that Mahamed Reza Khan be again assured of the Continuance of our Favour, so long as a firm Attachment to the Interest of the Company, and a proper Discharge of the Duties of his Station, shall render him worthy of our Protection.

" We are,

Your affectionate Friends,

" London, 4th February 1779.

John Michie,	G. Wombwell,
Sam ^l Peach,	W ^m James,
Tho ^l Cheap,	J. Purling,
John Roberts,	George Tatem,
Jn ^l Woodhouse,	W ^m Mills jun ^r ,
H. Fletcher,	Rob ^t Gregory,
Ben. Booth,	John Smith,
W. Devaynes,	Rich ^d Becher,
	Joseph Sparkes."

" App^d. in Comm.
4th Feb. 1779."

Then

Then the Managers for the Commons offered to produce certain public official Accounts of the Nizamut and Bhela, under the Seal of the Bhegum, attested also by the Nabob, and transmitted by Mr. Goring to the Board of Council at Calcutta, received by them, recorded without Objection on the Part of Mr. Hastings, and transmitted by him, likewise without Objection, to the Court of Directors, stating, that they contained an Account delivered by the Munny Begum of One Lack and a Half of Rupees, and also an Account by Rajah Gourdas of Two Lacks of Rupees, given to Mr. Hastings; and contending that the Fact of Mr. Hastings having re-appointed the Munny Begum and Rajah Gourdas to their respective Offices, under the above Circumstances, was a sufficient Ground to entitle them to read the said Accounts.

The same was objected to by the Counsel for the Defendant.

The Managers being heard, in Answer to the Objection made, and the Counsel in Reply,

The House adjourned to the Chamber of Parliament.

Die Mercurii, 24° Junii 1789.

THE Lords being in their Places, the House resumed, the usual Proclamations made, and the Defendant appearing at the Bar, the Lord Chancellor said;

“ Gentlemen, Managers for the House of Commons, and you, Gentlemen, who are of Counsel for the Defendant, the Lords have resolved, That the Accounts last offered in Evidence by the Managers for the Commons, ought not to be read.—Gentlemen, Managers for the House of Commons, you may proceed to make good your Charge.”

Then it being proposed by a Lord to put a Question to the Judges in Westminster Hall,

The House adjourned to the Chamber of Parliament.

Die Martis, 30° Junii 1789.

THE Lords being in their Places, the House resumed, the usual Proclamations made, and the Defendant appearing at the Bar, the Lord Chancellor acquainted the Managers for the Commons they might proceed to make good their Charge.

The Managers for the Commons acquainted the House, that they would next proceed to read a Letter from Mr. Goring to the Board of Council at Calcutta, dated the 29th of June 1775, from Page 391 of the printed Appendix to the Minutes, upon the Ground that the House having received the Paper, and having entered it as read, they had a Right to read any Part of it.

The same was objected to by the Counsel for the Defendant.

The Managers for the Commons being heard in Answer to the Objection made, and the Counsel in Reply,

The House adjourned to the Chamber of Parliament.

The Lords being returned, the House resumed, the usual Proclamations made, and the Defendant appearing at the Bar, the Lord Chancellor said;

“ Gentlemen, Managers for the Commons, and you, Gentlemen, who are of Counsel for the Defendant, the Lords have resolved, and have commanded me to acquaint you, ‘ That the House, upon Examination, finds that the Statement of the Fact, as made by the Managers for the Commons, is inaccurate; inasmuch as the Papers printed in the Appendix, over and above what were actually read, have never been read,

‘ or entered by the House as read :’ And they have further directed me to communicate to you the Resolution of the House of the 22d of April 1788 ; viz.

‘ *Die Martis, 22^o Aprilis 1788.*

‘ Ordered, That the written Evidence which shall hereafter be produced upon the Trial of Warren Hastings Esquire, and actually read, shall (together with the Parol Evidence) be printed in the Order in which the same shall have been so read ; and whenever a Part only of any Consultation, Paper, or Document, shall be actually read, that the Whole of such Consultation, Paper, or Document, as far as the same shall relate to the Matter of the Evidence so actually read, shall be printed in an Appendix to the Evidence upon such respective Charge.’

“ Gentlemen, Managers for the Commons, you may proceed to make good your Charge.”

The Managers for the Commons acquainted the House, that they now proposed to read the before mentioned Letter of Mr. Goring, bearing Date the 29th of June 1775, upon the single Ground of its being printed in the Appendix to the Minutes of Evidence upon the Sixth Article of Charge.

Whereupon the House adjourned to the Chamber of Parliament.

The Lords being returned, the House resumed, the usual Proclamations made, and the Defendant appearing at the Bar, the Lord Chancellor said ;

“ Gentlemen, Managers for the Commons, and you, Gentlemen, who are of Counsel for the Defendant, the Lords have resolved, ‘ That no Paper ought to be read merely because it is printed in the Appendix ; and therefore, that the Letter of Mr. Goring of the 29th of June 1775, last offered in Evidence by the Managers for the Commons, ought not upon that Account to be read.’—Gentlemen, Managers for the Commons, you may proceed to make good your Charge.

The Managers for the Commons acquainted the House, they would next proceed to shew Mr. Hastings’s Consent, that the Attention of the Court of Directors should be particularly drawn to the whole Body of Evidence relative to the Enquiry instituted by the Board under the Commission given to Mr. Goring.

Read, from Book 11, already delivered in, the following Extract of a Consultation of the 31st July 1775, beginning at Page 704 of the same Book.

“ The Board being assembled to read the Draft of a General Letter prepared to be sent to the Honourable the Court of Directors, by the Northumberland, it is accordingly read.

“ Mr. Barwell proposes, in order to prevent the Company’s being misled by any partial Selection of Papers which relate to any Member of this Board, more particularly to the Governor General, that the whole Subject and Matter of Mr. Goring’s Commission, his Mode of Proceedure in the Execution of it, all that has passed upon his different Representations to the Board, the Observations thereon, and Instructions in consequence, be inserted in the Body of the General Letter ; or, to save unnecessary Trouble, that a Reference, in the usual Form, be made to the Proceedings on which they are entered ; for these Reasons he moves for the following Amendment : “ For what has passed till this Time in that Business, and for Mr. Goring’s different Reports in his Correspondence, we beg Leave to refer to the Consultations in which they are recorded, as noted in the Margin.”

“ Mr. Francis.—I think that whatever Letters or Intelligence from Mr. Goring have been followed with Orders or Resolutions of this Board, should be mentioned in the General Letter ; and this, I presume, was the Rule observed by the Secretary in drawing up the Paragraph in the Draft. Mr. Goring’s other Letters may be generally referred to in the Consultation, unless any of them contain Facts which any Member of the Board may think deserving of any particular Notice ; I shall not object to the mention of any such Facts. This Opinion includes a Negative to Mr. Barwell’s Motion.

“ Mr. Barwell’s Opinion is comprized in the Motion.

“ Colonel Mordaunt.—The Secretary has drawn up this Paragraph from the Proceedings agreeable to the usual Custom, therefore I think it should stand a Part of the Letter. If there are any other of Mr. Goring’s Letters which refer to any particular Circumstance, I have no Objection to its being particularly noticed in the Letter ; but if there are no such Circumstances, I think it unnecessary to swell the Letter with the Whole of Mr. Goring’s Correspondence. I therefore am against Mr. Barwell’s Motion.

" General Clavering.—It appears to me, that the Amendment proposed by Mr. Barwell to the Draft drawn out by the Secretary should not be adhered to. A Reference was made by this Board to the Begum on the Subject of the Charge of having given Three Lacks of Rupees to the Governor General and Mr. Middleton; and as her Answers of Exculpation accompany the Charge, I think it a fair Statement of Facts, and ought to be inserted in the General Letter for the Information of the Court of Directors, and the King's Ministers.

" The Governor General.—I have no Objection to the Mention of this Fact in the General Letter; I object to its being selected from many other Points, of equal Importance, which appear on the Proceedings respecting Mr. Goring's Appointment and Conduct in the Execution of it, because it may mislead those by whom the General Letter may be read into the Belief that nothing else worth noticing is contained in them. The Majority having formed their Resolution, and it depending on them to word the Letter in what Manner they think proper, I take this Occasion to signify my earnest Request to the Honourable the Court of Directors, that they will be pleased to read the Whole of the Proceedings which have any Relation to this Subject, or to any other which have been Matters of Controversy between myself and the Board. I hope I shall not be thought to depart from the Respect which I owe to my Employers in supposing this Petition necessary, or that in the midst of so many important Objects as occupy their Time and Attention, they may not read or advert to every Minute which is recorded in the voluminous Books of our Consultations, unless they are pointed out as meriting their particular Observation: And I request that these Debates may be transmitted a Number in the Packet.

" Agreed, that the Paragraph in the General Letter remain as drawn up by the Secretary.

" Ordered, That the Proceedings of this Day's Council be sent in the Packet to the Court of Directors.

Signed (at the End of the Consultation)

Warren Hastings,
J. Clavering,
Geo. Monson,
Rich^d. Barwell,
P. Francis."

Then the Managers for the Commons proposed to read the before mentioned Letter of Mr. Goring of the 29th of June 1775, upon the following Grounds; First, That it was Part of a Consultation, of which Consultation a Part had already been read, and that it applied to the same Subject with that Part of the Consultation which had already been read: Secondly, Upon the Demeanor of Mr. Hastings, in requesting the Court of Directors to read the Whole of the Proceedings which had any Relation to the Subject of Mr. Goring's Appointment, and Conduct in the Execution of it, or to any other which had been Matters of Controversy between him and the Board.

The same was objected to by the Counsel for the Defendant.

The Managers for the Commons being heard in Answer to the Objection made, and the Counsel in Reply, the Managers for the Commons were asked, If the above were the Whole of the Grounds upon which they put the Admissibility of the Papers offered: To which they made answer, " That they were."

The House adjourned to the Chamber of Parliament.

Die Fovis, 2° Julii 1789.

THE Lords being in their Places, the House resumed, the usual Proclamations made, and the Defendant appearing at the Bar, the Lord Chancellor said;

" Gentlemen, Managers for the Commons, and you, Gentlemen, who are of Counsel for the Defendant, the Lords have resolved, That the Letter of Mr. Goring of the 29th of June 1775, ought not to be read.—Gentlemen, Managers for the Commons, you may proceed to make good your Charge."

The Managers for the Commons acquainted the House, they would next proceed to prove that the Use made of the Nabob's Name, for the Purpose of dispossessing Mahomed Reza Cawn from the Office to which he had been appointed by the Court of Directors, and of dividing his Salary between the Munny Begum and Rajah Goordass, was an Imposition; that the Nabob was a Person of no Power whatever, but a mere Pageant and Instrument in the Hands of Mr. Hastings, and that Mr. Hastings knew of his Want of Power; for which Purpose they would read an Extract from a Consultation of the 31st of July 1775, containing an Affidavit of Warren Hastings Esquire, in the Case of the King against Joseph Fowke, and others, for a Conspiracy.

Read, from Book 11, already delivered in, the following Extract of a Consultation of the 31st July 1775, beginning at Page 701 of the same Book.

" Fort William, the 31st July 1775.

" At a Council; Present,
The Honourable Warren Hastings Esquire, Governor General, President;
Lieutenant General John Clavering,
The Honourable George Monson,
Richard Barwell, } Esquires.
Philip Francis, }

Secret Dept.
Monday.

" Read and approved the Consultation of the 24th instant.

" The Governor General, agreeable to his Promise, lays before the Board the following Copy of his Affidavit, which was delivered into Court on the Plea of Roy Radachurn as Vakeel to the Nabob, and desires that a Copy of it may be sent to Europe by the Northumberland.

" The Governor General's Affidavit.

" Fort William in Bengal, }
to wit. } The King against Joseph Fowke, and others.

" Affidavit of Warren Hastings Esquire, Governor General of Bengal.

" This Depoient maketh Oath and faith, That the late President and Council did, on or about the Month of August 1772, by their own Authority, appoint Munce Begum, Relict of the late Nabob Meer Jaffier Allee Cawn, to be Guardian to the present Nabob Mobareck ull Dowla, and Rajah Goordass; Son of Maha Rajah Nundcomar, to be Dewan of the said Nabob's Household, allowing to the said Mance Begum a Salary of 1,40,000 Rupees per Annum; and to the said Rajah Goordass, for himself and Officers, a Salary of 1,00,000 Rupees per Annum.

" That the said late President and Council did, in or about the Month of August 1772, plan and constitute regular and distinct Courts of Justice, Civil and Criminal; by their own Authority, for Administration of Justice to the Inhabitants throughout Bengal, without consulting the said Nabob or requiring his Concurrence. And that the said Civil Courts were made solely dependant on the Presidency of Calcutta, and the said Criminal Courts were put under the Inspection and Controul of the Company's Servants, although ostensibly under the Name of the Nazim, as appears from the following Extracts from the Plan for the Administration of Justice, constituted by the President and Council as aforesaid.

" Article 1. That in each District shall be established Two Courts of Judicature; One by the Name of Mofussil Dewanne Adawlet, or Provincial Court of Dewannee, for the Cognizance of Civil

Governor General's Affidavit given into Court respecting Roy Radachurn.

Civil Causes; the other by the Name of Fouzdarree Adawlet, or Court of Fouzdarree, for the Trial of all Crimes and Misdemeanours.

* Sic in Orig. " Art. 4. That in the Fouzdarree Adawlet, the Cauzee and Mustee of the District, and Two Moulavies, shall set * to expound the Law, and determine how far the Delinquent shall be guilty of a Breach thereof; but that the Collector shall also make it his Business to attend to the Proceedings of this Court, so far as to see that all necessary Evidences are summoned and examined, that due Weight is allowed to their Testimony, and that the Decision past is fair and impartial, according to the Proofs exhibited in the Course of the Trial, and that no Causes shall be heard or tried but in the open Court regularly assembled.

" Art. 5. That in like Manner Two superior Courts of Justice shall be established at the chief Seat of Government, the One under the Denomination of the Dewannee Sudder Adawlet, and the other the Nizamut Sudder Adawlet.

" Art. 7. That a Chief Officer of Justice, appointed on the Part of the Nazim, shall preside in the Nizamut Adawlet, by the Title of Darroga Adawlet, assisted by the Chief Cauzee, the Chief Mustee, and Three capable Moulavies; that their Duty shall be to revise all Proceedings of the Fouzdarree Adawlet in capital Cases, by signifying their Approbation or Disapprobation thereof, with their Reasons at large; to prepare the Sentence for the Warrant of the Nazim, which shall be returned into the Mofussel, and there carried into Execution. That with respect to this Court, a similar Controul shall be lodged in the President and Council as is vested in the Collectors of the Districts, so that the Company's Administration in Character of the King's Dewan may be satisfied that the Decrees of Justice, on which both the Welfare and Safety of the Country so materially depend, are not injured or perverted by the Effects of Partiality or Corruption."

" And the said Deponent further saith, that he believes the above to be true Extracts from the said Plan for Administration of Justice, as entered in the Consultations.

" The said Deponent further saith, that the Management of the Revenues of the said Province of Bengal has for some Years past been, and now is, entirely in the Hands of the East India Company, and their Representatives in this Country, without the smallest Participation of the said Nabob. And this Deponent further saith, That in consequence of Orders from the Court of Directors, dated in April 1771, the annual Stipend allowed to the said Nabob Mobareck ull Dowla, was reduced from the Sum of 31,81,991 : 9 Rupees per Annum, to the Sum of 16,00,000 per Annum. And lastly, the said Deponent saith, That he believes all the above Facts to be publickly known, as they are particularly set forth in a printed Book intituled, ' Reports from the Committees of the House of Commons.'

Signed Warren Hastings."

" Sworn before me, this 28th

Day of June 1775,

(Signed) E. Impey."

* Then the Managers for the Commons proposed to read the Affidavit of Mr. George Vanfittart to the same Point, entered upon the same Consultation.

The same was objected to by the Counsel for the Defendant.

The Managers for the Commons were informed by the House, that the proper Mode of proving the Fact would be to call Mr. Vanfittart himself.

Then the Managers for the Commons proposed to read the Affidavit of Mr. Lane to the same Point, also entered upon the above Consultation.

The Counsel for the Defendant objected upon the same Ground.

The Managers for the Commons being asked, whether any Thing was done at the Consultation at which the abovementioned Affidavits were produced, which would shew that the Defendant acted upon them, desired that an Extract of the above Consultation of the 31st of July 1775, beginning at Page 716 of the same Book, might be read :

The same was read, as follows :

" Mr. Francis proposes, that the following Paragraph may be inserted in the General Letter after the Subject of the French Claims.

" The Mention of these Differences with the French, leads us to request your serious Attention to that Part of the Opinions of the Judges delivered upon another Occasion from the Bench, in which the Sovereignty of the Nabob Mobareck ull Dowla, as Soubah of these Provinces, is denied. These Opinions, so publickly delivered, and of such Authority, will, we conceive, preclude your Governor and Council from any Use of the Soubah's Name, or of the Authority of this Country Government, in any future Differences with the French and other Foreign Factories. We do not take upon us to assent to or condemn the Doctrine avowed by the Judges, in respect to the Rights which may belong to the Soubah, but we hope that the Difficulty in which the Declaration of it

may involve this Presidency, and which may ultimately affect the Peace of Europe, will be duly considered by you; and if it should be determined by you, that the Soubah's Government is annihilated, that you will instruct us in what Form the Government of the Provinces is to be administered for the future."

The Governor General.—"I object to the Motion, because I do not apprehend that the Declaration of the Judges, respecting the Nabob's Sovereignty, will involve this Government in any Difficulties with the French or other Foreign Nations.

"How little the Screen of the Nabob's Name has hitherto availed, will appear in the frequent and inconclusive Correspondence which has been maintained with the Foreign Settlements, the French especially, since the Company have thought proper to stand forth in their real Character in the Exercise of the Dewanny. From that Period the Government of these Provinces has been wholly theirs, nor can all the Subtleties and Distinctions of political Sophistry conceal the Possession of Power where the Exercise of it is openly practised, and universally felt in its Operation.

"In Deference to the Commands of the Company, we have generally endeavoured, in all our Correspondence with Foreigners, to evade the direct Avowal of our possessing the actual Rule of the Country, employing the unapplied Term Government for the Power to which we exacted their Submission; but I do not remember any Instance, and I hope none will be found, of our having been so disingenuous as to disclaim our own Power, or to affirm that the Nabob was the real Sovereign of these Provinces.

"In effect, I do not hesitate to say, that I look upon this State of Indecision to have been productive of all the Embarrassments which we have experienced with the Foreign Settlements. None of them have ever owned any Dominion but that of the British Government in these Provinces. Mr. Chevalier has repeatedly declared that he will not acknowledge any other, but will look to that only for the Support of the Privileges possessed by his Nation, and shall protest against that alone, as alone responsible for any Act of Power by which their Privileges may be violated, or their Property disturbed. The Dutch * the Danes have severally applied to this Government as to the ruling Power for the Grant of Indulgencies, and the Redress of their Grievances. In our Replies to all we have constantly assumed the Prerogatives of that Character, but eluded the direct Avowal of it. Under the Name of Influence we have offered them Protection, and we have granted them the Indulgencies of Government. Under elusive Expressions, sometimes applied to our Treaties with the Nabobs, sometimes to our own Rights as the Dewan, sometimes openly declaring the virtual Rule which we held of these Provinces, we have contended with them for the Rights of Government, and threatened to repel, with Force, their Encroachments on it. We, in One or Two Instances, have actually put these Threats in Execution, by Orders directly issued to the Officers of Government, and enforced by Detachments from our own Military Forces. The Nabob was never consulted, nor was the Pretence ever made that his Orders or Concurrence were necessary. In a Word, we have always allowed ourselves to be treated as Principals; we have treated as Principals; but we have contented ourselves with letting our Actions insinuate the Character which we effectively possessed without asserting it.

* Deest in Orig

"For my own Part, I have ever considered the Reserve which has been enjoined us in this respect as a Consequence of the Doubts which have long prevailed, and which are still suffered to subsist, concerning the Rights of the British Government and the Company to the Property and Dominion of these Provinces, not as inferring a Doubt with respect to any foreign Power. It has, however, been productive of great Inconveniencies: It has prevented our acting with Vigour in our Disputes with the Dutch and French. The former refuse, to this Day, the Payment of the Bahar Peishcush, although the Right is incontestably against them, and we have threatened to enforce it. Both Nations refuse to be bound by our Decrees, or to submit to our Regulations. They refuse to submit to the Payment of the Duties on the foreign Commerce but in their own Way, which amounts almost to a total Exemption. They refuse to submit to the Duty of 10 per Cent. which is levied on foreign Salt, by which (unless a Stop can be put to it by a more decisive Rule) they will draw the Whole of that important Trade into their own Colonies; and even in the single Instance in which they have allowed us to prescribe to them, namely, the Embargo on Grain on the Apprehension of a Dearth, I am myself persuaded that they acquiesced from the secret Design of taking the Advantage of the general Suspension, by exporting Grain clandestinely, under Cover of their Colours, which they knew would screen them from the rigorous Examination of our Officers.

"We are precluded from forming many Arrangements of general Utility, because of their Want of Controul over the European Settlements; and a great Part of the Defects which subsist in the Government and commercial State of the Country are ultimately derived from this Source.

"I have not the slightest Suspicion, that a more open and decided Conduct would expose us to worse Consequences from the European Nations. On the contrary, we have the worst of the Argument while we contend with them under false Colours; while they declare they know us under the Disguise, and we have not the Confidence to disown it. What we have done and may do under an assumed Character, is full as likely to involve us in a War with France, a Nation not much influenced by logical Weapons, if such can be supposed to be the likely Consequence of our trifling Disagreement with them, as if we stood forth their avowed Opponents.

"To conclude: Instead of regretting, with Mr. Francis, the Occasion which deprives us of so useless and hurtful a Disguise, I should rather rejoice (were it really the Case) and consider it

as a Crisis which freed the Constitution of our Government from one of its greatest Defects : And if the Commands of our Honourable Employers, which are expected by the Ships of the Season, shall leave us uninstructed on this Subject; which has been so pointedly referred to them in the Letters of the late Administration, I now declare that I shall construe the Omission as a tacit and discretionary Reference of the Subject to the Judgment and Determination of this Board, and will propose that we do stand forth, in the Name of the Company, as the actual Government of these Provinces, and assume the Exercise of it in every Instance, without any Concealment or Participation.

" Though I have thus fully declared my Opinion with respect to the Effects of the Decision of the Judges, upon the Plea of the Nabob's Sovereignty, I think it incumbent upon me to remark, that even on the Supposition that their Decision was replete with the most dangerous Consequences, it would be uncandid to reproach them with it. They were bound by their Duty and by their Oaths to give Judgement on the Plea which was brought before them, according to Law and Truth, regardless of any Consequences which might attend it. The Gentlemen of the Majority, who were under no Obligation to bring a Plea before the Court, which they must at least have known to be liable to such a Decision, are alone accountable for the Effects of it; and it is not easy to see how they could have expected any other Decision, while they declare that they consider the Nabob's Name as a Political Screen to cover the Acts of our Government.

(Signed) " Warren Hastings."

" Mr. Barwell.—I entirely agree with the Governor General, that the Nabob Mobareck ul Dowla is dependant on the English Government in all Respects, and wholly independant of the French, Dutch, and other foreign Nations. That he acts by a Commission from the Court of Delhi in the Administration of the Provinces; and that the Moorish Polity being judged necessary to the Welfare of the People, the Company's Government have allowed it to prevail, and support the Exercise of it in the Nabob's Person, and the Officers of the Nizamat Phouzdarries, with Checks and Modifications to regulate any Abuse of Power. The Company's Government certainly have a Power to annihilate the whole Civil and Criminal Jurisdiction established in the Country; but it does not follow that they ought to exercise that Power because they possess it, and introduce Anarchy and Confusion in the Place of Order and Justice; or because they decline to exercise it, that they tacitly or avowedly declare an independant Sovereignty in a mere Officer of the State. While the Jurisprudence of the Mogul Government is allowed of, the Person who holds the Mogul's Sunnuds will of course be permitted to exercise the Functions of his Office; and the Company have ordered him a Stipend equal to the Support of the Rank and Character he is honoured with. Lastly; I cannot conceive that the English Government, allowing a coercive Power to the Mogul Jurisprudence, does, in any Respect, authorise foreign Nations to dispute it, or to oppose the Mogul's Officer acting with its Concurrence and Support. In short, I do not comprehend what Difficulties are apprehended by Mr. Francis to our Intercourse with foreign Factories, by the Judges Opinions delivered from the Bench, that Duty will not allow any Individual to screen himself from the English Law by assuming a fictitious Character, under a Plea of the Soubah's Rights to vest him with one.

(Signed) " Rich^d. Barwell."

" Agreed, that the Paragraph proposed by Mr. Francis be accordingly inserted."

The Managers for the Commons stated, they would now produce the Opinion of the Judges of the Supreme Court at Calcutta to the same Point, in the Case of the King against Roy Rada Churn, and others, upon an Indictment for a Conspiracy, at the Suit of Mr. Hastings : For which Purpose they desired to read a Paper delivered by Sir Elijah Impey, on the 7th of July 1775, in the Supreme Court, to the Assistant Secretary of the Supreme Council, in order to be transmitted to the Council, as the Resolutions of the Court in respect to the Claim made for Roy Rada Churn, on account of his being Vakeel of the Nabob Mobarek ul Dowlah; stating that the same was accordingly delivered to the Supreme Council, by the Assistant Secretary, on the 10th of July 1775; that it was the Subject of the Deliberation of the Council on the 31st of July 1775 (a), Mr. Hastings being present; and that it was by them transmitted to the Court of Directors, as a Ground for such Instructions as the Occasion might seem to require.

The Counsel for the Defendant objected to the same.

The Managers for the Commons being heard in Answer to the Objections made, and the Counsel in Reply,

The House adjourned to the Chamber of Parliament.

(a) Vide supra, Page 1072.

Die Martis, 7^o Julii 1789.

THE Lords being in their Places, the House resumed, the usual Proclamations made, and the Defendant appearing at the Bar, the Lord Chancellor said,

“ Gentlemen, Managers for the House of Commons, and you, Gentlemen, who are of Counsel for the Defendant, the Lords have resolved, That the Paper sent by Sir Elijah Impey to the Governor General and Council, and by them transmitted to the Court of Directors, as Part of their Representation to the said Directors of the actual Situation of the Nabob Mobareck ul Dowlah, with Reference to the East India Company, ought to be read in Evidence.

“ Gentlemen, Managers for the House of Commons, you may proceed to make good your Charge.”

The Managers for the Commons desired that an Extract of a Consultation of the 10th July 1775 might be read, beginning at Page 509 of Book 11, already delivered in.

The same was read, as follows :

“ Fort William, 10th July 1775.

“ At a Council ; Present,
The Honourable Warren Hastings, Governor General, President ;
Lieutenant General John Clavering,
The Honourable George Monson,
Rich^d. Barwell, } Esquires.
Philip Francis, }

Secret Dept.
Monday.

“ The Assistant Secretary begs leave to acquaint the Board, that whilst he was attending the Supreme Court on Friday Evening, in Obedience to a Subpoena which he had received for that Purpose he was called by the Chief Justice, who delivered him the following Papers, and desired that they might be laid before the Board at their First Meeting, in the Name of the Court, as the Resolutions of the Court in respect to the Claim made for Roy Radachurn, on account of his being Vakeel of the Nabob Mobareck ul Dowla.

“ Chief Justice to Roy Radachurn.

“ You are hard pressed to make use of that Argument ; the Company will not thank you for stating the Right to be in Mobareck ; for if it is, the Exercise of the Power must be a Usurpation in the India Company ; but I do not take it to be so, for the Treaty which you have produced is a Surrender by him of all Power into the Hands of the Company (a).”

(Signed at the End of the Consultation)

“ Warren Hastings,
J. Clavering,
Geo. Monson,
Rich^d. Barwell,
P. Francis.”

Read, further Extract from the same Consultation, beginning at Page 512 of the same Book.

“ It is from the real Business to be transacted between Nation and Nation, not from any Representation of supposed Majesty, that their Rights are substantially founded. Is Mobareck ul Dowla, or was he ever a Prince in a Situation of transacting any Public Business of Consequence with this Settlement ? Is he, from the Evidence before us, capable of making War and Peace with this

(a) Vide Appendix, N^o CXIX.

Settlement? If not, though there may remain in him a Shadow of Majesty, I think no Sanctity of Person can be derived to his Vakeel which will be sufficient to give him the Rights of an Ambassador; for this Reason I threw out, when this was before mentioned, what I thought would be necessary for the Governor General and Council to make out before they could support this Claim. I did it that, if they could not make it out, they might have an Opportunity of relinquishing a Claim, which I was fully aware must embarrass them. They have chosen to persist in it, and to force the Court to a Determination on a Question which their Counsel states to be political, and that to protect a Man charged (whether properly or no will appear when the Indictment is tried), with a Conspiracy, against the First Man in this Settlement, the Governor General. Whatever my Opinion may be, the Gentlemen of the Council must have been clearly convinced of the Justness and Indispensability of the Claim, or in such a Case I am sure they would not have made it. We had said it would be necessary that the Governor General and Council should verify, by Affidavit, that Mobareck ul Dowla was a Sovereign Prince, in a Situation to make War and Peace with this Settlement; that he was sui Juris; that he appointed his own Ministry; that he performs all Acts of Sovereignty independently, and without the Controul of this Government; that he is in all Negotiations treated as a Prince sui Juris; that a Vakeel is a publick Minister, having the jus revocandi Domum; that the Governor General and Council have always treated Roy Radachurn as invested with the Rights which they claim for him; and that they do not consider him subject to the Order and Controul of this Government.

"No such Affidavit has been made; I should have been much surprised if there had; but the Reason given for the Want of Affidavit is not the true one; namely, that the Facts would not bear them out. The reason given by their Counsel is, that the Governor General and Council could not make the Affidavits required, because they are a Corporation. I cannot imagine from what Confusion of Ideas this Notion has sprung. In fact, they are no Corporation; if they were, could it enter into the Mind of any Man, that it was sufficient for a Corporation merely to make a Claim without supporting it by Proof? to sling a Claim, on Paper, into Court, and leave it to establish itself without Evidence? Though a Body Corporate, qua Corporate, cannot make an Affidavit, yet each Individual that compose it can. In fact, the Governor General has. The Individuals, if the Facts would have bore them out, might, and I have no Doubt would have made the Affidavits, especially as the Court had informed them, if they did not the Negative of the Questions put would be taken for granted.

"They have not even sworn, or given any Evidence, that they themselves do now, or ever have treated Roy Radachurn as a Person invested with the Rights they claim for him from us; nor that they do not consider him subject to the Order and Controul of this Government. Is he then to be treated as a Publick Minister, merely to elude Justice, and in no other Respect to be so treated? I have little Doubt but, that this Man was originally appointed by the Influence of the late Administration; and am not surprised that those who form the Government of this Presidency, which undoubtedly exercises Authority over the Master, cannot swear that they do not think the Servant liable to the Controul of the Government of this Presidency.

"What has been produced in Support of this Claim? A Paper which has been called a Treaty with Mobarek, a Sunnud of Meer Jaffier Ally Cawn, the Affidavit of Roy Rada Churn, and Two Letters to the Governor General, which are called the Credentials.

"The Treaty indeed, by its First Article, nominally guaranties to him the Possession of Bengal, Bahar, and Orissa; but by the other Articles, all Power whatsoever is taken from him, nothing is left him but an empty Title and 31,31,991 Rupees annually; even that Sum is appropriated, all but 16 Lack, to his Household, and it is expressly stipulated, that the remaining 16 Lack should be expended by the Officer named in the Treaty in maintaining the Peons, &c. of his Swany: He is therefore obliged to keep up the Ensigns of Power, and maintain the outside Pomp of a Prince, by the very Instrument which is an actual Surrender of his Sovereignty, if he was, which is not in Proof, ever possessed of it.

"It was stated by the Counsel at the Bar, to induce the Court to believe that the Military Power, that substantial Evidence of Royalty, was in his Hands, that he kept an Army on Foot. What does it turn out to be? A mere Swarry to keep up ostensible Pomp, and make him appear what he is not. It is a miserable Attempt to impose on the Court.

"As to the Sunnud of Meer Jaffier, that is produced to shew that Mobarek has a Right to a Mint, another Mark of Sovereignty. Does it prove it?

"It proves that the East India Company had exercised the Right of coining Money; and what they possessed before is confirmed to them by this Grant of Jaffier. By what Authority the East India Company claimed it before this Grant, does not appear; it does appear they exercised it. But though Meer Jaffier might be a Sovereign, how is Mobarek connected with him? No Title has been attempted to be derived, nor any Succession proved from Jaffier to Mobarek. Is there any Proof that Mobarek ever coined Money in his own Name? All this is meer Colour, and so faint, that I can hardly induce myself to think that the Gentlemen who made the Application do themselves believe what they are desirous the Court should believe."

Read,

Read, further Extract from the same Consultation, beginning at Page 521, of the same Book.

" Thus it stands on the Evidence in Support of the Claim: It is mere colourable Evidence; but when the Affidavits on the other Side are read, that Colour immediately vanishes.

" The Governor General swears, That the late Administration, by their own Authority, appointed Munny Begum to be Guardian to the Nabob, and Rajah Goordafs, Dewan of his Household, allowing each of them large Salaries; That the same Administration planned and constituted Criminal and Civil Courts by their own Authority, without consulting the Nabob, or requiring his Concurrence; the Civil were made dependant on the Presidency solely, and the Criminal, though held in the Name of * Nabob, are in Fact under the Controul and Inspection of the Servants of the East India Company. That the Management of the Revenues, (the Sinews of War) are entirely in the Hands of the East India Company and their Representatives, without the smallest Participation of the Nabob. That, in consequence of Orders from the Court of Directors, the annual Stipend which was allowed him was reduced from 31,31,991 Rupees to 16,00,000. • Deest in Orig.

" By what Authority did they appoint a Guardian? The Company had no natural Connection by Blood with Mobarek. By what Authority did they appoint the Dewan of his Household, and allow them large Salaries? It could only be done in their political Capacity, by that Authority, which they exercise over him.

" If the Treaty given in Evidence was in the Nature of a real Treaty with a Sovereign Prince, when there were mutual Agreements and Considerations, how came his Stipend, for so it is called (a Word hardly applicable to an independant Sovereign Prince), to be reduced to 16,00,000 Rupees? By what Authority did they erect the Courts of Law, and superintend the Administration of Justice, without any Communication with him? Had he himself any Idea he was a Sovereign? Does he complain of the Reduction of his Stipend, or the Infringement of Treaties? No: He considered himself, what he really is, absolutely dependent on the Company, and was willing to accept any Pittance they would allow him for his Maintenance. He claims no Right. Does he complain that the Administration of Justice is taken into the Hands of the Company? No: By the Treaty the Protection of his Subjects is delivered up to the Company; and he well knew, whoever is held up as the ostensible Prince, the Administration of Justice must be in the Hands of those who have Power to enforce it. The Governor General, who, I suppose, had a Delicacy to state more than what has before been made public, closes his Affidavit with saying, that all he has deposed to he believes to be publicly known, as it is particularly set forth in the Reports of the Committee of the House of Commons. I knew it was there, and was therefore surprized at this Application. It is so notorious that every Body in the Settlement must have known; when I say every Body, I mean with an Exception to the Gentlemen who apply to the Court: The only Reason I can give for their applying is the little Time they have been in the Country, and the Want of Knowledge of former Transactions of Government, and the Customs and Manners of the People. I wish the Governor General had pointed out this Passage to them; for if he had, it ought, and I have therefore no Doubt would have prevented this Application.

" The Governor General's Affidavit proves the Revenues, their Collection, the whole Administration of Justice, both Civil and Criminal, and even the appointing of the Officers of his Household, to be in the Company. Mr. Lane, Mr. Hurst, and Mr. Vanstuart, all Members of the late Council, depose, that the Military is so likewise. They swear, that the whole Military Power of the Province is, and has been for several Years, entirely under the Controul of the Company, and of their Representatives: They swear, that he performs no Acts of Sovereignty independant of, and without the Consent of the Representatives of the East India Company; nothing therefore is left to Mobarek but an empty Title. This has been said to have been a political Question, and that the Determination of it against the Right of the Vakeel might be productive of Quarrels with Foreign Nations, especially the French. I think it can have no such Effect; for whether the Territorial Acquisitions belong to the Crown or the Company, if either of them have a Right to execute Sovereignty here, and chuse so far to postpone their own Dignity, as to set up another Person, through whom, and in whose Name, they will exercise the Power, I do not know that any Foreign State has any Right to complain; nor do I think this Determination can affect the Legality of the Courts established in this Province. All that is determined in this Case is, that Mobareck-ul-Dowla, who surrendered his Power entirely into the Hands of the English Company, cannot himself, nor can the East India Company in his Name, protect Delinquents, subject to the Jurisdiction of this Court, from being punished by the Laws of Great Britain; that the Agents of the East India Company cannot, by making him the Instrument, do indirectly what they would not assume to do directly. It cannot be a political Question of a serious Nature, in the Opinion of the Gentlemen making the Claim; had it been so, they would not have pressed a Decision on it in this very unfavourable Case. It is no Right claimed by the Nabob, both he and his Vakeel, as the Vakeel, as to himself, candidly confesses in his Memorial, were wholly ignorant of the Rights and Privileges to which he was entitled by the Laws of Great Britain, as an Ambassador or public Minister. If any material Consequences follow from it, the Gentlemen should have been backward in forcing us to a Decision; for we must give such an Opinion, whatever may be the Consequences,

Consequences, as we think founded in Law. They were to judge of the Politics; they have thought it right to have it determined: The Evidence is before us; we cannot determine contrary to it: We must judge by Law, not by Politics. Perhaps this Question might have been determined merely on the Dates of the Letters to the Governor General; but as the Council have made the other a serious Question, I should not have thought that I had done my Duty, if I had not given a full and determinate Opinion upon it. I should have been sorry if I had left it doubtful, whether the empty Name of a Nabob could be thrust between a Delinquent and the Laws, so as effectually to protect him from the Hands of Justice."

Read, further Extract of the same Consultation, beginning at Page 542 of the same Book.

" Mr. Justice Le Maistre.—With regard to this Phantom, this Man of Straw, Mobareck al Dowla, it is an Insult on the Understanding of the Court to have made the Question of his Sovereignty.

" But it came from the Governor General and Council; I have too much Respect for that Body to treat it ludicrously, and I confess I cannot consider it seriously. (a)

20th June 1775.

Read, further Extract from the same Consultation, beginning at Page 544 of the same Book.

" Mr. Justice Hyde.—By the Treaty which has been read, it appears that Mobarek al Dowla deprives himself of the great Ensign of Sovereignty, the Right to protect his own Subjects; he declares, that shall be done by the Company.

The Act of Parliament does not consider him as a Sovereign Prince. The Jurisdiction of this Court extends over all his Dominions to such Persons as are Servants of the Company, or of any British Subject, and to every One of his Subjects who chooses to submit himself to our Jurisdiction, and exempt himself from that of his Courts, by making a Contract above 500 Rupees in Value, and declaring any Dispute on it shall be determined in this Court only; so that if we allowed this Claim, his Vakeel would be the only Person in his Dominions to whom he could extend the Arm of Protection (b).

Read, further Extract of the same Consultation, beginning at Page 546 of the same Book.

" The unanimous Opinion of the Court, delivered by the Chief Justice, in Consequence of a Letter signed J. Clavering, Geo. Monson, and P. Francis."

The Counsel for the Defendant observed, that it would be more regular first to read the Letter upon which the Opinion of the Court as abovementioned was delivered.

The same was accordingly read by Consent from a printed Paper, intituled, " The Examination into the Claim of Roy Rada Churn to the Privilege of an Ambassador, as Vakeel of Mobarek ul Dowla, Nabob of Bengal;" and is as follows:

" Supreme Court of Judicature, Fort William, June 21st, 1775.

" Present,

The Honourable	{	Robert Chambers, Stephen Caesar Lemaitre, John Hyde,	}	Esquires.
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" Gentlemen,

" Enclosed we have the Honour to transmit you the Copy of a Memorial, which has been presented to us by Roy Rada Churn, the Vakeel of the Nabob Mubarick ul Dowla, representing, that a Bill of Indictment has been presented and found against him in the Supreme Court of Judicature.

" As this Person is the Vakeel, or Publick Minister, of the Subah of these Provinces, we conceive him to be entitled to the Rights, Privileges, and Immunities, allowed by the Law of Nations, and the Statute Law of England, to the Representatives of Princes. We therefore claim those Rights in his Behalf; and desire that the Process against him may be void; and that the Persons suing out and executing such Process, may be proceeded against in such a Manner as the Law directs.

" We have the Honour to be,
Gentlemen,

" Revenue Department,
Fort William, 20th June 1775.

Your most obedient humble Servants,
John Clavering,
George Monson,
Philip Francis."

(a) Vide Appendix, N° CXIX.

(b) Vide Appendix, ibid.

Then the following Extract of the unanimous Opinion of the Judges of the Supreme Court at Calcutta in Bengal, in consequence of the above Letter, was read from the before-mentioned Consultation of the 10th July 1775, beginning at Page 547 of Book 11.

" The Letter from the Council encloses One of a most extraordinary Nature from the Nabob Mobarek. His Age, his Situation, is such, that there is no Man, either in England or India, will believe he would be induced to write such a Letter, was it not dictated to him by the Agents of those who rule this Settlement; or unless he was perfectly convinced it would be agreeable to, and coincide with their Sentiments. We always have, and always shall, consider a Letter of Business from that Nabob the same as a Letter from the Governor General and Council." (a)

* The Managers for the Commons stated, they would next proceed to prove that the Nabob Mobareck ul Dowlah was entirely in the Hands, and under the Management of Mr. Hastings, at the Time of the above Transaction; and that Mr. Hastings having, at a Consultation of the 2d March 1778, been over-ruled in a Proposal he made to comply with certain Requisitions of the Nabob, to remove Mahomed Reza Cawn, the Matter having then been referred, by a Majority of the Board, to the Decision of the Court of Directors; at the next Council that was held rescinded that Resolution, and put Munny Begum into Power.

Read, from Book 76, already delivered in, the following Extract of a Consultation of the 2d March 1778, beginning at Page 579 of the same Book.

" Fort William, the 2d March 1778.

" At a Council; Present,
The Honourable Warren Hastings, Governor General, President;
Philip Francis, } Esquires.
Edward Wheler, }
Mr. Barwell, indisposed.

Secret Dept.
Mondays

" Reconsidered the Letter from the Nabob Mobareck ul Dowlah, received the 12th, and recorded the 23d ultimo.

" Mr. Wheler delivers in the following Minute.

" Mr. Wheler.—After having very maturely considered the 40th Paragraph of the General Letter from this Presidency to the Court of Directors, dated the 20th November 1775, particularly that Part of it, which mentions the Appointment of Mahomed Reza Cawn to the Naibship of the Nizamut, for the Support of that ostensible and active Power in the Nizamut, which the Nabob from Youth and Neglect of Education was judged incapable to exercise, and having likewise perused the 35th Paragraph of the General Letter from the Court of Directors, dated 24th December 1776, wherein they highly approve, for the Reasons above quoted, of the Appointment of Mahomed Reza Khan; I am of Opinion that the Request now presented to this Board by his Highness, consistently with those Orders cannot be complied with here, but that it will be proper to submit the same to the Determination of the Court of Directors, together with such Remarks as may serve to apprise them of the Consequence, whether beneficial or otherwise, that may probably result from complying with his Highness's Request; and I am further inclined to this Mode from a Belief, that although his Highness was under Age when placed under the Guardianship of Mahomed Reza Khan, it was well known to the Court of Directors, that previous to the Date of their Letter approving Mahomed Reza Khan's Appointment, or to its Arrival in India, his Highness either had or would shortly attain the Years of Maturity.

" Fort William,
24th February 1778.

(Signed) Edward Wheler."

" Mr. Francis delivers a Minute containing his Opinion, as follows:

" Mr. Francis.—I could have wished, that before I had been called upon to give my Opinion on the present Question, the Merits of it had been stated to us by the Governor General, and regularly debated at the Board. The Institution of a Council supposes a reciprocal Communication of Opinions, and that no Resolutions shall be formed without a previous Debate. Reserving therefore to myself the Right of altering or qualifying the Answer I now deliver in, according to the Lights and Information I may receive from the other Members of the Board, I must declare, that I think we have but one Course to pursue.

" The Letter received from the Nabob Mobarek ul Dowlah should be referred to the Court of Directors. I do not myself see any one Motive that should press this Government to take upon

(a) Vide Appendix, N° CXIX.

themselves the hazardous Resolution of complying with the Requisitions contained in it, especially at a Time when Measures of the greatest Importance to the Welfare of India already divide our Counsels, and ought to engross our Attention. The Subject is delicate in its Nature, and I wish to speak of it with Caution and Reserve. The Board will consider maturely what Consequences the Compliance required of us may lead to, with what Demands upon the Company it may be followed, in what Manner it may affect the internal Government of these Provinces, and how far it may coincide with or embarrass Arrangements at this Moment probably under the Consideration of the Legislature for the permanent Settlement of Bengal.

General
Letter, 24th
Dec. 1776.

" With respect to the Removal of Mahomed Reza Cawn, I shall only observe at present, that the Court of Directors have approved of our Recommendation of him to the Nabob to constitute him his Naib; that they are well pleased that he has received that Appointment, and that they have authorized us to assure him of their Favour. I trust that no Member of this Board would recommend or approve of the Dismissal of a Man whom the Court of Directors themselves consider as qualified for the high Station he holds, in a more eminent Degree than any other Native with whom the Company has been connected, without their express Authority, or unless some Crime had been proved against him.

" Mr. Francis.—Mr. Wheeler and I having delivered our Opinion on the Question brought before the Board by the Governor General, I must request that the Governor will be pleased to favour the Board with his Opinion upon it.

" Governor General.—I did not expect that my Opinion would be required, until those of the other Members had been regularly taken in Succession; nor was this Day appointed for collecting the Opinions upon the Subject: Mr. Barwell's has not been received; he is absent. I shall therefore decline to give my Opinion at this Day's Consultation, unless the Majority of the Board now assembled shall require it.

* Sic in Orig.

" Mr. Francis.—On this Day * Sevenight the Governor General moved, that the Opinions of the Members of the Board might be taken on the Subject of the Nabob's Letter. The Motion states, that their Opinions may be taken at the next Meeting of the Council; and the Question was brought forward again this Day; I presume with the Governor's Approbation; at least it was not called for by any other Member of the Board. I believe therefore I am perfectly regular in Point of Form, in requesting his Opinion may follow those of the Members present. I therefore beg Leave to repeat my Question in the Form of a Motion; but am ready, if the Governor General approves of it, to put off the Consideration of this Question until this day Fortnight.

The Governor General.—I desire the Secretary to declare, whether he had any Directions from me to bring this Matter before the Board. This is properly the Consultation following that in which the Question was first brought before the Board; as the Meetings on Thursdays, though held in this Chamber, belong only to the Department of Inspection, and are held by a Summons issued by the Secretary to that Department. It was probably my Intention to have brought on the Question for Decision this Morning; but I apprehend it cannot be done with Regularity, as One of the Members of the Board, whose Opinion I presume will be essentially necessary, is at this Time absent. It will rest with the Majority of the Board assembled, to let the Question take its due Course, or to force it to an immediate Decision, subject to a regular Confirmation or Repeal at the next Meeting. I cannot consent to the Compromise proposed by Mr. Francis; it is inconsistent with the Demand for an instant Decision.

" The Secretary.—Begs Leave to acquaint the Board, that he did not receive any Orders whatsoever for bringing on the Consideration of the Nabob's Letter this Morning, but that he introduced it as a Subject depending before the Board in the regular Course of Business.

" Mr. Francis.—In proposing to defer the Question to this Day Fortnight, I have explained myself to mean, that we should wait for the Receipt of the Company's Letter now on Board One of the Ships at Madras, and which we may probably receive in that Time. Since that is not approved by the Governor General, I adhere to my first Motion, being perfectly sure that I proceed not only with the strictest Observance of the Forms of the Board, but with the utmost Candour and Moderation.

The Governor General.—From the Whole which has passed in this Debate, which hitherto has been confined to Mr. Francis and myself, it is very evident that Mr. Francis persists in his Motion, on the Presumption of a superior Influence occasionally over-ruling me at this Day's Meeting, otherwise it is impossible to conceive any Reason why he should insist on an instant Decision of the general Question proposed by me on last Monday, when he at the same Time proffers the Suspension of it for a Fortnight, and the Time in which I would propose to suspend it will necessarily form a Part of that Interval, and of Course come nearer to his own Proposition than an immediate Determination. I forbear to say more upon the Subject; it will rest with Mr. Wheeler to determine whether the original Question shall be determined immediately, or wait until the Assembly of the Board is complete.

" Mr. Francis.—If the Board will not unanimously agree to wait for the Receipt of the Company's Instructions, now upon their Way probably to this Place, it is not in my Power to assign a Reason why the Board should not decide the Question now. The Motive imputed to me for urging such Decision at present, though in Fact I have not done so, will I believe in the Mind of every impartial

impartial Judge, be full as applicable to the Desire intimated by the Governor, that Mr Barwell's Presence should be waited for. Considerations of that Kind are irregular, and, as I think, not fit to be insisted on of either Side. I beg the Question may be put.

" The Governor General.—I believe I know Mr. Barwell's Sentiments upon the general Question as I know Mr. Wheler's; but the Question now before the Board is of a different Nature, and is most undoubtedly an Advantage taken of the present Composition of the Board. It may however prove an instructive Experiment, and I shall not be sorry that it is made. If Mr. Francis knows that the Company's Instructions, which he says are probably now on their Way to this Place, relate to the general Subject now under Consideration, I will readily agree to postpone it; but if he has no such Knowledge, and there is the strongest Reason to believe that they contain nothing which bears the most distant Allusion to it, I know not why I should be required to support the Credit of such a Suggestion.

" Mr. Francis.—I am not acquainted with the Contents of the Company's expected Letter, but I do believe, on the Authority of the Court of Directors themselves, expressed in their Letter to the late Sir John Clavering, that it contains some general Arrangements concerning the Affairs of this Country and the Government. They positively promised him to send out such Instructions by their next Dispatches.

" The Governor General.—I believe the Court of Directors will regret their ever having given such a Promise, when they know that it has been circulated to every Part of the Provinces, and even beyond the Dominions of our Ally the Nabob of Oude, for the Purpose of weakening the Influence of the present Administration, and defeating its Measures. It therefore becomes me, whilst I hold this Place I possess in this Government, to use every Means that may be requisite for obviating the Effects of so dangerous a Policy. This alone would be a sufficient Reason for me to refuse to protract the present, or any other Question, until the Arrival of the Company's Orders, on the Supposition that they will contain the Confirmation of a Belief so industriously propagated."

" The Question proposed by Mr. Francis being put,

" Mr. Wheler.—Of the Two Propositions made by Mr. Francis, I prefer the postponing the further Consideration of this Question for Fourteen Days; but as that is disapproved by the Governor General, I think it highly necessary that we should come to an immediate Decision, and I only regret that that Decision, probably, will not be final.

" Governor General.—I submit, and shall deliver my Opinion, as nearly as I can, in the Terms of the Question. It is my Opinion, that the Requisitions contained in the Letter from the Nabob Mobareck-ul-Dowlah, entered in the Consultation of last Monday, be complied with.

" Mr. Francis.—I move that it be resolved, in Conformity to the Opinions of a Majority of the Board, That the Nabob's Letter be referred to the Decision of the Honourable the Court of Directors, and that no Resolution be taken here upon the Subject of the Requisitions contained therein, without their special Orders and Instructions.

" Mr. Wheler, agrees.

" Mr. Francis, agrees.

" Governor General.—I object, and protest both against this and the preceding Resolution.

" Resolved, That the Nabob's Letter, recorded the 23d ultimo, be referred to the Decision of the Honourable the Court of Directors; and that no Resolution be taken here on the Subject of the Requisitions contained therein, without their special Orders and Instructions."

No Signature at the End.

The Counsel for the Defendant submitted that the Whole of the above Consultation would be unintelligible, unless the Letter from Mobareck ul Dowlah, which was the Subject Matter of the above Deliberation, were read.

The Managers for the Commons being asked, if they meant to read the Letter alluded to by the Counsel for the Defendant, answered, that they did.

The same was accordingly read from a Consultation of the 23d February 1778, beginning at Page 567 of the same Book.

" Fort William, the 23d February 1778.

" At a Council; Present,

The Honourable Warren Hastings, Governor General, President;

Richard Barwell,
Philip Francis,
Edward Wheler, } Esquires.

Secret Dept.
Monday.

" The Governor General desires that the following Letter from the Nabob Mobareck ul Dowlah may be read.

" From the Nabob Mobareck ul Dowlah. Received 12th February.

" I have already addressed repeated Letters to your Excellency, stating very fully the Trouble and Uneasiness I suffered from the Nabob Mahomed Reza Khan's being invested with the Office of the Naibship

Letter from
the Nabob
Mobareck ul
Dowlah.

Naibship of the Nizamut, with the Management of the Affairs of the Country, and of the several Offices of my Household, the Administration of the Business of the Adawlut and Phousdarry within the Soubah's, and of all the Affairs of the Nizamut, as well as of my domestic Concerns, and the Superintendence of myself and Family; because the said Nabob, regarding only his own Benefit and the Increase of his Greatness in future, pays no Regard or Attention to my Interest or Advantage.

" The Nabob Mahomed Reza Khan is neither connected with me by the Ties of near Relationship, nor of sincere Attachment, that he should therefore be invested with such a Degree of Power is highly oppressive and dishonourable to my Family. I am now, by the Favour of God, come to the Years of Maturity, and to that Age when, by the Precepts of our Holy Law, and the Usage of Mahomedanism, I ought to take Charge and Management of my own Affairs, and by the Blessing of the Almighty, I am not so devoid of Understanding as to be incapable of conducting them. I am therefore hopeful, from your Favor and Regard to Justice, that you will deliver me from the Authority of the aforesaid Nabob, and give your Permission that I take on myself the Management of the Adawlut and Phousdarry of the Soubahs, as well as of my own Household, and the Business of the Nizamut, which is my Right.

" The Company, who have acquired so great Authority in this Country, and raised themselves to their present Degree of Greatness and Dominion, are indebted for the Advantages solely to the warm Support of my Ancestors; and you well know what Degree of Authority I am at present possessed of. I therefore ask nothing more than my Right, and should the Company, disregarding the Situation and Rights of this Family, refuse their Approbation to my Request, which is perfectly just and right, it will be highly inequitable.

" I am hopeful, that maturely weighing this Matter, your Excellency will give me the Management of the Affairs of the Nizamut, of my own Household, and the Offices attached thereto, together with the Administration of the Adawlut and Phousdarry within the Soubahs, which are my Right. This will be an Act of the highest Justice in the Gentlemen, and will engage my Gratitude, and that of all the helpless Dependents of this Family. (a)

(Signed at the End of the Consultation)

" Warren Hastings,
Rich^d Barwell,
P. Francis,
Edw^d Wheler."

To prove that the above Application of the Nabob Mobareck ul Dowlah was made for the Sake of Munny Bhegum,

Read, from Book 132, already delivered in, the following Letter from the Nabob Mobareck ul Dowlah to Mr. Hastings, received 17th November 1777, beginning at Page 503 of the same Book.

" Letter from the Nabob Mobareck ul Dowlah. Received 17th November 1777.

" I have already repeatedly written you, that I can on no Account be satisfied that the Administration of the Nizamut Affairs should be vested in Mozuffer Jung, whilst her Highness the Munny Bhegum, who is the Head and Patroness of the Family of my deceased Father, is living; yet you have nevertheless neglected to pay Attention to my Situation, and have left my Family under the Management of the aforesaid Person, which is not only dishonourable and disgraceful to me, but highly detrimental to my Affairs.

* Sic in Orig. " For Instance, Mozuffer Jung has lately told every Body in a Strain of Irony, " Let him," meaning me, " first secure the Point concerning which he has written Letters to the Governor, and then take on himself the Administration of the Affairs of the Nizamut, but till this happens the Power is in my Hands.

* Sic in Orig. " Reflect, my Patron, how great Uneasiness such Speeches must occasion to me. Before this he has also frequently made use of Expressions in the highest Degree insufferable, which I have informed you of, but I am at a Loss to conceive on what Principles of Justice you consent to my Dishonour and Detriment in an Affair wherein your Compliance with my Desire could not be, in the least Degree, hurtful to the Company, and would be of Advantage to me, and prefer the Satisfaction of Mozuffer Jung.

" I am hopeful you will not keep me longer in this painful Suspence, but will be kindly pleased to write immediately to the Munny Bhegum, that she take on herself the Administration of the Affairs of the Nizamut, which is, in fact, her own Family, without the Interference of any other Person whatever; by this you will give me complete Satisfaction."

To prove that Mr. Hastings rescinded the Resolution of the Council of the 2d March 1778, as before mentioned,

(a) Vide Appendix, N^o CXX.

Read,

Read, from Book 76, already delivered in, the following Extract of a Consultation, of the 5th March 1778, beginning at Page 595 of the same Book.

“ Fort William, 5th March 1778.

“ At a Council; Present,
The Honourable Warren Hastings, Governor General, President;
Richard Barwell,
Philip Francis, } Esquires.”
Edward Wheler, }

Secret Dept.
Thursday.

“ Read, the Proceedings of the 2d instant.

“ Governor General. — I move, that the Resolution passed in the last Consultation, to wit, ‘ That the Nabob’s Letter be referred to the Decision of the Honourable the Court of Directors, and that no Resolution be taken here on the Subject of the Requisitions contained therein, without their special Orders and Instructions,’ be repealed, and that the Question proposed by me, in Consultation 23d ultimo, namely, That the Opinions of the Members of the Board may be taken, whether the Requisitions contained in the Nabob’s Letter, recorded in that Day’s Proceedings, shall be complied with or denied, may be reconsidered.” (a)

Read, further Extract of the same Consultation, beginning at Page 603 of the same Book.

“ Resolved, that the Resolution passed in the last Council, viz. ‘ That the Nabob’s Letter, recorded 23d ultimo, be referred to the Decision of the Honourable the Court of Directors, and that no Resolution be taken here on the Subject of the Requisitions contained therein, without their special Orders and Instructions,’ be repealed.” (b)

Read, further Extract from the same Consultation, beginning at Page 605 of the same Book.

“ The Second Question contained in the Governor General’s Motion being put:

“ Agreed, That the Question proposed by the Governor General, 23d ultimo, viz. That the Opinions of the Members of the Board may be taken, whether the Requisitions contained in the Nabob’s Letter, recorded on that Day, shall be complied with or denied, may be reconsidered.

Mr. Wheler and Mr. Francis having given their Opinions on the Original Question in the Consultation,

“ Mr. Barwell proceeds to deliver his Sentiments as follow.

“ Mr. Barwell. — I am of Opinion, That as the Nabob is pleased to demand and assert the positive Rights of his Office as Nazim of the Provinces, and as he has been invariably acknowledged such by the Company and this Government, I do not see upon what Ground we can deny his Request; a Reference at this Time for the Orders of the Company would be an Evasion reflecting on their Honour, and unbecoming the Justice of the Government.

“ Governor General. — The Nabob’s Demands are grounded on positive Rights, which will not admit of a Discussion.

“ He has an incontestible Right to the Management of his own Household.

“ He has an incontestible Right to the Nizamat: It is his by Inheritance. The Dependants of the Nizamut, Adawlut, and of the Fouldarry, have been repeatedly declared by the Company, and by this Government, to appertain to the Nizamut.

“ For these Reasons I am of Opinion, That the Requisitions contained in the Nabob’s Letter entered in Consultation 23d ultimo ought to be complied with.

“ Mr. Francis. — Since it has been resolved that the Consideration of the original Question should be resumed I desire that the Secretary will read to the Board the repeated Letters already addressed to the Governor General by the Nabob on this Subject, previous to the last, as they will probably throw Lights upon it which are not before us at present.

“ Governor General. — I must beg Mr. Francis’s Pardon for objecting to the present Motion, as it does not arise out of any new Matter produced at this Meeting; and as these Letters, if they are supposed to contain any additional Lights, ought to have been considered by him before he gave his Opinion. I have no Objection to their being produced; the Letter Book containing the Persian Correspondence ought always to be before the Board, and this is the only Day in which I recollect that they were not lying upon the Table. My Objection goes only to the Loss of Time which will be consumed in tracing the Nabob’s Letters which may have been written on this Subject, and in reading them to the Board. The Letter Books are now produced; I desire that the Assistant Secretary will examine them, and shew Mr. Francis such Letters as he finds contained

(a) Vide Appendix, N° CXXI.

(b) Vide Appendix, *ibid.*

in them from the Nabob. This, I apprehend, will answer all the Purposes for which he can require them, and the Time of the Board will be spared.

“ Mr. Francis.—I understood the original Question was resumed *de novo*. In delivering my former Opinion, I reserved to myself a Right to alter it according to the Arguments which might be stated in the Course of the Debate. The Letters in Question, if they are entered on the Persian Correspondence, might have been read while we have been talking upon the Subject. I generally have examined the Persian Correspondence, but do not recollect to have seen any Letter from the Nabob, stating, as he says, very fully, the Trouble and Uneasiness he suffers from the Nabob Mahomed Reza Cawn's being invested with the Offices he now holds. From what I have heard of his Conduct, and of those Persons who are most in his Confidence, and have greatest Influence with him, I can easily believe that Mahomed Reza Cawn's Authority is a Restraint over him. When that Restraint is removed, I do not doubt that he will immediately become what he was before, ‘ An easy Prey to his menial Servants, whose utter Want of Ability, Integrity, and Attention, to render him in any Degree respectable, even in the Eyes of the Natives,’ are well known to the Court of Directors. When the Rights of the Nabob to the Management of his Household, and to the Exercise of the Great Offices dependant on the Nizamut, are so peremptorily declared, I should have conceived that his Ability to judge, and act for himself, and his Capacity to execute Offices of such essential Importance to the Welfare of the Country, would also have been considered by a prudent Government. I know with Certainty, that he is, in his own Person, utterly incapable of executing any of these Offices, nor does it follow, from any Acknowledgement of his Rights, that it should not be the Duty of this Government to recommend to him wise and able Men, and such as the Company themselves are known to confide in, to support, and carry on that Part of the publick Business which is still left, or supposed to be left, with the Nazim. The Company will judge of the real Motives and Object of the Requisitions brought before us in his Name, and how far such an Address from him will justify the Removal of a Minister whose Appointment has been expressly and in the highest Terms approved by them, on the 24th December 1776. The Secretary has yet pointed out to me but One Letter from the Nabob, which appears to have been received on the 17th November. In that Letter he says, ‘ I am hopeful you will not keep me longer in this painful Suspence, but will be kindly pleased to write immediately to the Munny Begum, that she take on herself the Administration of the Affairs of the Nizamut, which is in fact her own Family, without the Interference of any other Person whatsoever. By this you will give me complete Satisfaction.’ The Way then to give this young Prince complete Satisfaction, if we can suppose such Letters are really dictated by him, is to restore Munny Begum to the Administration of the Affairs of the Nizamut without the Interference of any other Person whatsoever; by this Request it appears, how little he thought himself qualified Three Months ago to take upon himself the Offices which he now desires to be invested with. I do not doubt that the Object of the present Measure is to restore Munny Begum, in Fact if not in Form, to the Power of which she was divested by a former Act of this Government. The Merits of this Lady are well known to the Company; but it may be proper to repeat in this Place what the Court of Directors have, with great Reason, thought fit to say of her. ‘ Notwithstanding such vast Sums have been carried to the Nabob's Account, over and above his Stipend, in so short a Space of Time, we observe, that in May 1775, there was not a Rupee in his Treasury, though there were Demands upon him to a large Amount. This Circumstance alone, were there no other Improproprieties in the Conduct of Munny Begum, would justify her Removal from the Office of Guardian to the Nabob; because it is evident, that under her immediate Superintendance great Part of his Allowance must have been embezzled, or very grossly misapplied.’

“ Resolved, That the Requisitions contained in the Letter from the Nabob Mobareck ul Dowlah, entered in Consultation 23d February, be complied with.

“ Mr. Francis.—I dissent from, and protest against this Resolution, because, in addition to all the other Reasons expressed by me, it is a direct and positive Disobedience of the Orders of the Court of Directors, expressed in their high Approbation of the Appointment of Mahomed Reza Cawn to his present Employment; and because this important Resolution is taken without any One Reason being assigned in Support of the Necessity or Expediency of it.

“ Mr. Wheler.—I accede to every Objection pointed out by Mr. Francis, and likewise join with him in his Dissent and Protest. Further, as the Nabob has thought proper at this Period to demand his positive Rights, and as those Rights may probably prove much more extensive than appears from the Question now before the Board, I am confirmed in my former Opinion, that his Highness's Request ought to be referred to the deliberate * Decision of the Court of Directors, and not at present receive the Sanction and hasty Determination of this Board: (a)

“ Signed at the End of the Consultation,

“ Warren Hastings,
Rich^d Barwell,
P. Francis,
Edw. Wheler.”

General
Letter, 24th
Dec. 1776,
Par. 35.

General
Letter, 24th
Dec. 1776,
Par. 32.

* See in Orig.

(a) Vide Appendix, N^o CXXI.

The Managers for the Commons desired to refer the House to Page 1062 of the printed Minutes, to prove that Mr. Hastings made a Disposition of the Salary of Mahomed Reza Cawn between the Munny Begum, the Rajah Goordafs, and Sudder ul Huck Cawn: And also to refer the House to Page 973 of the printed Minutes, to prove that the Salary so divided was not taken from the Nabob's Stipend, but from the Fund of the East India Company.

Then the Managers for the Commons stated, they would next prove, that, in Consequence of the above Appointment, the Government of the Country was disturbed, Offices sold, Speculation practised, the Course of Justice impeded, and that Robberies and Murders prevailed through the Country; for which Purpose they proposed to read a Letter from Sudder ul Huck Cawn to Mr. Hastings, received the 1st of September 1778.

The Counsel for the Defendant objected to it, as not relevant to the Charge.

The Managers for the Commons being heard in Answer to the Objection, the House informed them, That whatever could prove the Inducement to the Appointment in Question, was Evidence; but the Consequences of the Appointment, not in Contemplation at the Time, could not be given in Evidence.

The Managers for the Commons stated, That it was a heavy Aggravation of the Offence that all the Mischiefs that were predicted from the Appointment, came to pass; and desired that an Extract of a Consultation of the 15th December 1779, might be read, to prove the Conduct of Munny Bhegum upon her Second Appointment.

The Counsel being asked if they persisted in their Objection, said, They objected to save Time, considering it totally irrelevant to the Charge; but rather than give the House the Trouble of an Adjournment, they consented that it might be read.

Read, from Book 56, already delivered in, the following Extract of a Consultation of the 15th December 1779, beginning at Page 418 of the same Book.

“ Fort William, the 15th December 1777.

“ At a Council; Present,

“ The Honourable Warren Hastings, Governor General, President;
Richard Barwell,
Philip Francis, } Esquires.
Edward Wheler, }

Pub. Dept.
Wednesday.

Sir Eyre Coote absent on a Visit to the different Stations of the Army.

Mr. Francis delivers in the following Minute.

“ Mr. Francis.—I must request the Attention of the Board to a short Recapitulation of the principal Steps taken, and Declarations made by the Nabob, and by this Government, in relation to the Removal of Mahomed Reza Cawn, and to the succeeding Distribution of the several Offices held by him.

Nabob Mobarck ul Dowlah, Mahomed Reza Cawn.

“ In a Letter received from the Nabob, on the 17th of November 1777, he desires that Munny Begum may be allowed to take on herself the Administration of the Affairs of the Nizamut, without the Interference of any other Person whatever; and adds, that by this the Governor will give him complete Satisfaction.

“ In his next Letter he desires that Mahomed Reza Cawn may be removed, and expresses his Hopes, that ‘as he himself is now come to Years of Maturity, and by the Blessing of God is ‘not so devoid of Understanding, as to be incapable of conducting his own Affairs,’ the Governor will give him the Management of the Affairs of the Nizamut, and of his own Household, together with the Administration of the Adaulat and Phouzdarey.

Received the 12th of Feb. 1778.

“ As the Court of Directors themselves have fully discussed the Claims and Pretensions stated in this Letter, I shall not attempt to add any Thing to their Observations thereupon.

“ On the 7th of March 1778, a Letter from the Governor informs the Nabob, that it had been agreed, ‘that his Excellency being now arrived at Years of Maturity, the Controul of his ‘own Household, and of the Courts dependant on the Nizamut, and * and Phouzdarry should be ‘placed in his Hands;’ and Mahomed Reza Cawn was directed, at the same Time, to resign his ‘Authority to the Nabob.

* Sic in Orig.

“ In a Letter received from the Nabob, on the 4th of May 1778, ‘he says he has made ‘choice of Sudder ul Hoe Khan to fill the Station of Naib of his Adaulat and Phouzdarry, and ‘of Rajah Goordafs for the Office of the Nizamut; and desires that Mahomed Reza Cawn’s Salary ‘may be divided between those Two Persons and the Two Begums.’ On the Requests contained in

* Sic in Orig. in * Letter, and immediately complied with, I have nothing to add to the Remarks stated in my Minute of the 7th of May 1778, except that there could not be a grosser Contradiction, than first to remove Mahomed Reza Cawn, on pretence of the Nabob's executing the several Offices himself, and immediately afterwards to appoint other Persons to execute those Offices, and at the same Time to give a considerable Portion of the Salary annexed to them to the Two Begums.

"Sudder ul Hoe Khan, in a Letter received 1st September 1778, says, His Highness himself is not deficient in Regard for me, but certain bad Men have gained an Ascendancy over his Temper, by whose Intigation he acts. After complaining of the Slights he receives from the Nabob, he adds, 'Thus they cause the Nabob to treat me, sometimes with Indignity, at others with Kindness, just as they think proper to advise him; their View is, that by compelling me to Displeasure at such unworthy Treatment, they may force me either to relinquish my Station, or to join with them and act by their Advice, and appoint Creatures of their Recommendation to the different Offices, from which they might draw Profit to themselves.'

"In a subsequent Letter to the Governor Sudder ul Hoe Khan says, 'The Begum's Ministers, before my Arrival, with the Advice of their Councillors, caused the Nabob to sign a Receipt; in consequence of which they received at Two different Times, near 50,000 R' in the Name of the Officers of the Audawlet, Fouzdarry, &c. from the Company's Sircar, and having drawn up an Account current in the Manner they wished, they got the Nabob to sign it, and then sent it to me.' In the same Letter he asserts that these People have the Nabob entirely in their Power.

"On the 1st September 1778, the Governor informs the Nabob, that 'it is highly expedient that Sudder ul Hoe Khan should have full Controul in all Matters relative to his Office, and the sole Appointment and Dismission of the Sudder and Mofussil Officers; and that his Seal and Signature should be authentic to all Papers having Relation to the Business entrusted to him. I therefore intimate to you that he should appoint and dismiss all the Officers under him, and that your Excellency should not interfere in any one.'

"The Nabob in a Letter to the Governor, received 3d September 1778, says, 'Agreeably to your Pleasure, I have relinquished all Concern with the Affairs of the Fouzdarry and Audawlet, leaving the entire Management of them in Sudder ul Hoe Khan's Hands.'

"Sudder ul Hoe Khan, in a Letter received 30th September, says, 'Yatibar Ally Cawn (Munry Begum's Chief Eunuch), from the Amount Salaries of the Officers of the Adawlet and Phouzdarry, which before my Arrival he had received for Two Months from the Cirkar, made Disbursements according to his own Pleasure; he had before caused the Sum of 7,400 Rupees, on Account of the Price of mine and my Paisheer's Kellauts, to be carried to account, and now continually sends a Man to demand from me 4,300 and odd Rupees, as a Balance of the Price of Kellauts, and constantly presses me to take it from the Amount of the Salaries of the Officers of the Adawlat and Phouzdarry, and send it to him; and I shall be under the Necessity of complying. I mention this for your Information.'

"The Governor General's Letter to the Nabob, dated the 10th of October 1778, contains a Representation so pointed, and so very just, of the fatal Effects which had attended the Nabob's interfering in the Administration of Justice, that I shall insert it intire, but without any Comment; in fact, it speaks too plainly to require one.

"At your Excellency's Request, I sent Sudder ul Hoe Khan to take on him the Administration of the Affairs of the Audaulut and Phouzdarry, and hoped, by that Means, not only to have given Satisfaction to your Excellency, but that through his Abilities and Experience these Affairs would have been conducted in such Manner as to have secured the Peace of the Country, and the Happiness of the People; and it is with the greatest Concern I learn that this Measure is so far from being attended with the expected Advantages, that the Affairs, both of the Phouzdarry and Audaulut, are in the greatest Confusion imaginable; and daily Robberies and Murders are perpetrated throughout the Country.'

"This is evidently owing to the Want of a proper Authority in the Person appointed to superintend them: I therefore addressed your Excellency on the Importance and Delicacy of the Affairs in question, and of the Necessity of lodging full Power in the Hands of the Person chosen to administer them; in reply to which your Excellency expressed Sentiments coincident with mine; notwithstanding which, your Dependants and People, actuated by selfish and avaricious Views, have, by their Interference, so impeded the Business, as to throw the whole Country into a State of Confusion, from which nothing can retrieve it but an unlimited Power lodged in the Hands of the Superintendant. I therefore request that your Excellency will give the strictest Injunctions to all your Dependants, not to interfere in any Manner with any Matter relative to the Affairs of the Adaulut and Phouzdarry, and that you will yourself relinquish all Interference therein, and leave them entirely to the Management of Sudder ul Hoe Khan. This is absolutely necessary to restore the Country to a State of Tranquillity, and if your Excellency has any Plan to propose for the Management of the Affairs in future, be pleased to communicate it to me, and every Attention shall be paid to give your Excellency Satisfaction; in the mean Time I have given Directions to Sudder ul Hoe Khan to take the sole Management of them into his own Hands, and to apply assiduously to the Restoration of Tranquillity and good Order in the Country; and I must request that your Excellency will confirm them

‘ by similar Orders to him, otherwise a Measure which I adopted at your Excellency’s Request; and with a View to your Satisfaction and the Benefit of the Country, will be attended with quite contrary Effects, and bring Discredit on me.’

“ From the preceding Correspondence I think it appears beyond Dispute, that the Nabob himself has hitherto been a mere Cypher through the whole Transaction, or rather an Instrument in the Hands of Munny Begum, and others employed by * them and for their Purposes only, to accomplish the Removal of Mahomud Reza Cawn: That these People have made a most dangerous and iniquitous Use of the Nabob’s Name and Authority while they had both at their Disposal, and that the Governor General himself was convinced that the Interference of the Nabob, or of those who acted for him in the Affairs of the Nizamut, had been attended with the most ruinous Consequences, which he accordingly endeavoured to obviate, by directing him not to concern himself in any Shape in the Conduct of the Business intrusted to the Naib Soubadar. * Sic in Orig.

“ With respect to the Nabob I shall only observe, that his Letters involve him in a very disgraceful Dilemma; if * could believe it possible, that freely, and of his own mere Motion, he could recommend, ‘ That Munny Begum should take on herself the Management of the Affairs of the Nizamut without the Interference of any other Person;’ that he should in one Letter desire to conduct the Affairs of the Nizamut himself, and in the next, that a Naib should be appointed to conduct them for him, I should give little Credit to the Assertion with which these Requests are accompanied, viz. That he is not devoid of Understanding. He may arrive at Years of Maturity; but if at the Age of Twenty-one he does not perceive the Folly and Absurdity of such Propositions and such Contradictions, I should despair of his ever arriving at Years of Discretion. On the other Hand, if these Letters are written for him, which I am thoroughly satisfied is the Case; if he has no Will of his own, and if the Rights and Authorities demanded in his Name are in reality to devolve to Munny Begum, to her chief Eunuch, and to the other Persons of whose Misconduct the late Naib Soubadar made so many Complaints to the Governor, what Opinion are we to entertain of his Excellency’s Understanding and Veracity? or on what Ground can we commit the Management of such important Affairs to a young Man so dependant on Munny Begum, and evidently so incapable of judging or acting for himself? * Sic in Orig.

“ I now proceed to the last Orders of the Court of Directors. They consider the whole Subject in the same Light that I do; they acknowledge no Right of Inheritance in the Nabob; they understand every ostensible Accession to his Power as a real one to that of Munny Begum; they deem it for the Welfare of the Country that the Office of Naib Subadar should be continued; and they positively direct us forthwith to signify to the Nabob their Pleasure, that Mahomed Reza Cawn be immediately restored to it.

“ But notwithstanding they had a thorough Knowledge of the Facts, and were perfectly acquainted with all the Characters, they certainly were not aware of the Possibility of such a Case as now exists, or they would have provided against it; they did not foresee that their positive Orders would not be enforced by this Government, or that such Orders would be disobeyed.

“ When they read the Nabob’s late Letters, the false and frivolous Pretences on which he ventures to counteract and defeat an Arrangement which the Company have deemed necessary for the Welfare of the Country, will astonish them no less than our Acquiescence in such Pretences.

“ First he says, ‘ That he had formerly written to the Governor that he had no further Occasion for a Naib, and would himself conduct his own Affairs;’ and he asserts, ‘ that since the Dismission of Mahomed Reza Cawn to the present Time, the Business had been conducted under his own immediate Direction.’ Is it possible he should forget, that in consequence of Sudder ul Hoe Cawn’s Appointment, the Governor had expressly required him not to interfere; and that the Nabob had thereupon relinquished all Concern with the Affairs of the Phouzdarry and Adaulut, and left the entire Management of them in the Hands of the Naib? In his next Letter, he talks of the Rights of his deceased Father as well as his own, as if the Office of Nazim were hereditary.

“ He talks of his Claims on the Company as if he held by some other Title than their Friendship and Protection; or as if either he or his Father had any Right in the Subadary beyond what they derived from the voluntary Acts of the Company, or of their Representatives. He says, he never will admit Mahomed Reza Cawn to possess any Degree of Authority in his Family; and that as Sudder ul Hoe Khan is dead, he shall take upon himself the Management of the Business. In his last Letter he observes that Mahommud Reza Cawn was at first appointed on account of his the Nabob’s tender Age, which required the Assistance of a Naib; forgetting not only that a Naib Subadar was appointed, and the Office executed without Objections, during the Government of his Predecessors, but that he himself had submitted, about a Year ago, to the Appointment of Sudder ul Hoe Khan, and that the letter * continued to execute his several Offices till his Death, with Powers totally and unavowedly independent of the Nabob. He forgets, or perhaps he does not know, that the Treaty of March 1770, by which alone his Rights, whatever they may be, were created, provides for the Appointment of a Naib of the Provinces, to be invested with the Management of Affairs; and that this Naib was appointed at the Instance of the Governor and the Gentlemen of the Council. In the same Letter the Nabob declares, that he administers the Affairs of the Nizamut by his own Authority, * Sic in Orig.

thority, and shall do so; and that he never can, on any Account, agree to the Appointment of Mahomed Reza Cawn to the Naib Soubaship.

" The Governor General's Letter of the 10th October 1778, will shew the Company not only in what Manner this important Business is likely to be conducted, and what Opinion the Governor General himself entertains of the Nabob's Capacity, but, that neither were his supposed Rights and the Maturity of his Age attended to at that Time, nor his personal Inclinations consulted; notwithstanding all his Claims to the Phouldarry and Adaulut, the Governor's Pleasure divested him of both, and left him without an Option.—These, however, are not the First and immediate Objects of Consideration; a new and unexpected Question is now before us. The Company's Orders are disobeyed on pretended Principles, which suppose the Existence of an Authority in these Provinces, independant of the Authority of Great Britain over them.

" That of the Court of Directors is the only Medium by which the Subjection of Bengal to Great Britain is held and secured; in Opposition to it, the Nabob declares that he acts by his own Authority, and shall continue to do so.

" I do not know what Name the Law will give to Disobedience of the Company's Orders by this Board, or whether such Disobedience, directly avowed by ourselves, would not be less criminal, and in its Consequences less dangerous, than under the Form which it now assumes; but every Man must see which Way the present Example leads, and what Use may be made of it. If some vigorous Measure be not immediately taken by the Company to disarm the Nabob of all Means of Resistance, or at least to deter him from attempting it again, their Dominion over Bengal is not secure. I am sorry this inexperienced young Man should have been so unhappily advised: He does not know on what dangerous Ground he treads: He forgets himself too grossly when he disobeys the Company's positive Orders, and in the same Breadth* tells the Governor General 'you are the Master, and my Patron, and I can take no Measure without first communicating it to you.'

* Sic in Orig.

" The Company will consider, whether this avowed Distinction between them and their local Representative, be not something more than disrespectful; or whether their Injunctions would have been slighted if they had been accompanied by the usual and proper Requisition on the Part of the Governor General and Council, which I repeatedly recommended without Success.

" Other and more alarming Reflections will naturally succeed.

" The ostensible Shadow of the Nabob's Authority may, in Time, find a Substance to support it. If the Spirit of Party and Faction, which prevails through every Department of Government, and through every other Rank of Life, should reach to the Sepoys, it would be a painful, but not a difficult Task, to count the few remaining Steps which lead, inevitably, from that State of Things to final Dissolution. At whatever Distance that Danger may appear to be, yet if the Course we are in points directly to it, I trust that the Wisdom of the Company will not deem it unworthy of their instant Consideration. The same Measures by which a great and imminent Mischief might have been prevented, will not be sufficient to correct or retrieve it.

" Mr. Francis.—I now move that it may be resolved, that the preceding Letter from the Nabob is highly dissatisfactory to the Board, and that the Governor General be requested to signify the same to him; and to demand, in our Name, his immediate Compliance with the Orders of the Company.

" Mr. Wheeler.—I agree to the Motion.

" Mr. Barwell.—If any Advantage was stated to derive to the Company by controuling the Will of the Nabob, it might be a Question with me how far the Occasion would vindicate the Compulsion proposed; but when no national Benefit can accrue, nor is stated, I cannot give my Assent to a very * acceptionable Measure.

* Sic in Orig.

" Governor General.—I shall take another Occasion to deliver my Sentiments at large on the Subjects of this Motion. For the present I shall content myself with declaring, that I have gone to the utmost Lengths prescribed to me by the Company's Orders and by my Sense of my Duty, and that I will not go beyond them.

" Mr. Francis's Motion resolved in the Negative. (a)

" Signed at the End of the Consultation,

" Warren Hastings,
Richard Barwell,
P. Francis,
Edward Wheeler."

The Managers for the Commons stated, they would next produce another Order of the Court of Directors censuring the above Conduct of Mr. Hastings, in a Letter bearing Date 27th May 1779, and then they would prove the Motives for the Re-appointment of Munny Begum.

(a) Vide Appendix, N° CXXII.

The Counsel for the Defendant submitted, whether this could apply to any Matter of Charge, more than the Evidence last read.

Read, from Book 44, already delivered in, the following Extract of a Letter from the Court of Directors to the Governor General and Council at Calcutta in Bengal, dated 27th May 1779.

" Par. 36. In the 17th Paragraph of our Letter of the 4th of February 1779, we signified our Apprehension that the Removal of Mahomed Reza Khan was intended in order to bring forward Munny Begum: The Event has justified the Supposition; but having ordered Mahomed Reza Khan to be restored, and his Salary to commence on the Day of the Arrival of our Letter of the 4th of February, at Fort William; we now direct, and it is our positive Order, that the Salary of Seventy-eight thousand Rupees per Annum, granted by you to Sudder ul Huck Khan; of Seventy-two thousand Rupees per Annum granted to Rajah Goordals, as Naib of the Nizamut; and the Increase or additional Amount of Seventy-two thousand Rupees per Annum, granted to Munny Begum; also Thirty-six thousand Rupees per Annum, added to the Allowance of Baboo Begum, be entirely struck off and discontinued, from the Day of the Arrival of our said Letter of the 4th February 1779; and that you do not, on any Account or Pretence whatever, make any additional Allowances or Payments to any of the above Persons, or to any Person or Persons to be employed in the Nabob's Household or about his Person, or to transact the Affairs of his Excellency, contrary to the Letter and Spirit of these our Instructions.

Signed at the End of the Letter,

" George Cuming,	W. Devaynes,
Henry Savage,	L. Sullivan,
Samuel Peach,	John Harrison,
Charles Boddam,	J. Purling,
Francis Baring,	H. Fletcher,
J. Stables,	John Michie,
George Tatem,	J. Manhip,
Jof. Sparkes."	

Read, from Book 48, already delivered in, the following Letter from Mr. Hastings to the Nabob Mobarek ul Dowlah, beginning at Page 2 of the same Book.

" To the Nabob Mobarek ul Dowlah.

Written the 10th Feb. 1780.

" I have received your Letter, in which you inform me, &c. &c.

" The Company, whose Orders are peremptory, have directed that Mahomed Reza Cawn shall be restored to the Offices he held in January 1778. It is my Duty to represent this to your Excellency, and to recommend your Compliance with their Request, that Mahomed Reza Cawn may be invested with the Offices assigned to him under the Nizamut by the Company.

" By the Letters lately arrived from England, I have received Directions to withdraw the Pensions which were assigned to Muney Begum and Baboo Begum in January 1778. By these Letters the Orders respecting Mahomed Reza Cawn are repeated; and I strongly recommend to your Excellency to comply with every Part of them that depends upon you. Depend upon my Friendship for you, and be assured of my constant Regard for your Honour and your Welfare.

" For further Particulars, and a full Explanation upon every Point, I refer you to Sir John D'Oyly, who will deliver you this Letter.

Read, the following Extract from Mr. Hastings's Defence before the House of Commons, to the Charge intituled 'Mahomed Reza Cawn,' beginning at Page 542 of the MS.

" Sir John D'Oyly's Recital.

" I was appointed Resident on the Resignation of Mr. Byam Martin, in the Month of January 1780, and took Charge about the Beginning of February of the same Year.

" The Substance of the Instructions I received was to endeavour by every Means in my Power to conciliate the good Opinion and Regard of the Nabob and his Family, that I might be able to persuade him to adopt effectual Measures for the better Regulation of his Expences, which were understood to have greatly exceeded his Income; that I might prevent his forming improper Connections, or taking any Steps derogatory to his Rank; and, by every Means in my Power, support his Credit and Dignity in the Eyes of the World; and with respect to the various Branches of his Family, I was instructed to endeavour to put a Stop to the Diffensions which had too frequently prevailed amongst them. The Nabob, on his Part, was recommended to pay the same Attention to my Advice as he would have done to that of the Governor General in Person.

" Some time (I think) in the Month of February of the same Year, I received a Letter from Mr. Hastings, purporting that the critical Situation of Affairs requiring the Union, and utmost Exertion of every Member of the Government, to give Vigour to the Acts necessary for its Relief, he had agreed to an Accommodation with Mr. Francis; but to effect this Point, he had been under the Necessity of making some painful Sacrifices, and particularly that of the Restoration of Mahomed Reza Khan to the Office of Naib Soubah, a Measure which he knew must be highly disagreeable to the Nabob, and which nothing but the urgent Necessity of the Case should have led him to acquiesce in; that he relied on me to state all these Circumstances, in the most forcible Manner, to the Nabob; and to urge his Compliance, assuring him that it should not continue longer than until the next Advices were received from the Court of Directors.

* Sic in Orig.

" Never did I experience a more disagreeable a * Task; so reluctant was the Nabob to concur, and such Indignation did he express at being again subjected to so disagreeable a Situation, that I more than Once despaired of Success, and apprehended that he would, as he threatened, repair to Calcutta, and appeal personally to the Justice of the Council; and nothing, I am persuaded, would have induced him to acquiesce but my Assurances to him, on the Part of the Governor General, that it was only a temporary Measure absolutely necessary for the Welfare of the State, and should be done away as soon as that Necessity was removed. The Letter, which contained the Nabob's Acquiescence, will prove how much he felt himself injured by it.

" Mahomed Reza Khan was accordingly reinstated in all his Offices, and the Nabob again reduced to the Situation of a mere Cypher. He was then 23 Years of Age.

" About the Month of June 1781, Mr. Hastings being then at Moorshedabad, communicated to me his Intention of performing his Promise to the Nabob, by restoring him to the Management of his own Affairs; and at the same Time gave me Instructions, with the Concurrence of the Nabob, to make a minute Investigation into the Nabob's Accounts, and to concert with him a Plan for the Reduction of his Expences within his Income; he also drew up certain Articles of Instruction for the Nabob's Conduct, and the Management of his Affairs. This Change was by no Means agreeable to me, as I was sensible it drew on me a great Weight of Responsibility; and that the Reform which I had engaged to use my Endeavours to bring about, would not only be a laborious and arduous Undertaking, but subject me to the Enmity of all those who must suffer by it. I however undertook it, and the Nabob, at my Request, did order his Accountants to furnish me with whatever Papers I should call for. These were very voluminous, and I found, on Investigation, that his Disbursements exceeded his Stipend about Three Lacks of Rupees per Annum. I set about to form a Plan of Reduction, and requested of the Nabob to do the same; and when both were finished we compared them, and from both, by mutual Agreement, fixed all his Expences on such a Footing as to come within his Income; doubtless this occasioned great Distress to many, but the Nabob soon found the Benefit, in being enabled to live much better than he had ever done before.

" During the Administration of Mahomed Reza Khan it had been a constant Subject of Complaint from him, and of Representation to the Nabob from me, that many of those of whom he made Companions, were Persons neither intitled by their Rank in Life, or by the Goodness of their Characters, to such a Distinction; and indeed they frequently led him into very improper and disgraceful Acts: Also, that many Europeans made it a Practice to visit the Nabob, in Hopes of receiving Presents from him; and, to my Knowledge, several European Servants had intruded themselves into the Nabob's Company as Gentlemen, and, through his Ignorance, had been treated as such by him. These Circumstances I represented to the Governor General, who made it a Point with the Nabob to avoid it in future, by informing himself, from me, of the different Characters who were desirous of visiting him. To this he cheerfully agreed; and I never once objected to any Person, in the Character of a Gentleman, visiting the Nabob. He was pleased also to remove from about his Person the other Parties complained of.

" The Nabob did actually disavow and declare, with a most solemn Oath, that he never authorized any Person whatever to make an Offer to give up any Part of his Stipend; and never did I see Expression of Astonishment painted in the Countenance of any Person more strongly than in that of the Nabob when he first heard it; his Remark was, 'How is it possible to suppose such an Idea could ever be entertained, when I am already so much straitened by the Inadequacy of my Income to my Disbursements, and have been continually applying for Relief from my Difficulties.' He was so enraged at the Circumstance, as to banish the Person from his Presence."

The Managers for the Commons stated, that they would next prove, that Mr. Hastings, in disobeying the Company's Orders, and again removing Mahomed Reza Cawn, did it under Pretence of the Nabob's Liberty, whereas in Fact it was to put him under the Management of Sir John D'Oyley; for which Purpose they desired that an Extract of a Consultation of the 6th July 1781, might be read.

The Counsel for the Defendant repeated the same Ground of Objection.

The

The Managers for the Commons being heard in Answer to the Objection, the Counsel were asked, whether they did or did not consent that the Paper should be read ?

The Counsel for the Defendant answered, that they considered the Evidence offered as entirely foreign to the Charge ; if, however, the Managers desired it to be read, they might read it.

Read, from Book 36, already delivered in, the following Extract of a Consultation of the 6th July 1781, beginning at Page 63 of the same Book.

“ Fort William, 6th July 1781.

At a Council ; Present,
The Honourable Warren Hastings, Governor General, President ;
and Edward Wheler Esquire.
Lieutenant General Sir Eyre Coote absent on Command at Fort Saint George.

Secret Dept.
Friday.

“ The Governor General reports to the Board, that a Person of the Name of Meerza Mufeta is lately arrived at the Presidency, charged with a confidential Commission from the Nabob Mobareck ul Dowla, which is contained in the accompanying Papers ; and he requests that they may be taken into immediate Consideration, and a Decision passed upon them before his Departure. Governor General's Minute and Accompaniment.

“ The Requisition made by the Nabob, as the Inference from his Papers, is, that he may be permitted to dispose of his own Stipend, without being made to depend upon the Will of another. We have been so much in the Habit of calling him a Minor, that the Denomination seems to have grown into a confirmed Opinion with the Length of Time which has advanced him to the Years of Maturity. He is now arrived at that Time of Life when a Man may be supposed capable, if ever, of managing his own Concerns. He is near Twenty-six Years of Age, and is the Father of Eight Children ; and, as I am informed, his Understanding is much improved of late by an Attention to his Education ; these are Circumstances which give him a Claim to the uncontrouled Exercise of domestic Authority, unless it is intended to keep him in a State of perpetual Pupilage. It may reasonably be supposed that he will pay greater Regard to a just Oeconomy in his own Family than has been observed by Muzuffer Jung, who is an Alien to it, or by his Sons, to whom he has committed the principal Management of the Nabob's Household, and who, in Years and Experience, are inferior to him, and in Capacity not his Superiors.

“ The Governor General, for these Reasons, recommends it to the Board, that the Nabob Mobareck ul Dowla be entrusted with the exclusive and entire Receipts and Disbursements of his Stipend, and the uncontrouled Management and Regulation of his Household :

“ That Muzuffer Jung be immediately divested of the Office of Comptroller, or Superintendent of the Nabob's Household, and of all Authority and Interference therein, and that he be required to deliver over to the Resident of this Government at the Durbar the Accounts of that Office, who is to be instructed to demand them, and to see them clearly and finally adjusted with the Nabob.

“ Although the Governor General has proposed this Alteration in Favour of the Nabob generally, he is aware that so sudden and unlimited a Disposal of a large Revenue may at first encourage a Spirit of Dissipation in the Nabob, which it may be necessary to guard against, and which will be best effected by a mild but firm Interposition from our Government. For this Purpose, if the Board should approve of it, the Governor General will, on his Arrival at the City, endeavour to obtain the Nabob's Consent for establishing such a Plan for the Regulation and equal Distribution of his Expences as shall be adapted to the dissimilar Appearances of preserving his Interests and his Independence at the same Time. (a)

W. H.

“ Signed at the End of the Consultation,

Warren Hastings,
Edw^d Wheler.”

(a) Vide Appendix, N^o CXXIII.

Read, the following Extract of a Consultation of the 20th July 1781, beginning at Page 147 of the same Book.

“ Fort William, 20th July 1781.

Secret Dep.
Friday.

“ At a Council ; Present,

Edward Wheler Esquire ;

The Honourable the Governor General absent on a Visit to the Northern Provinces ;
Lieutenant General Sir Eyre Coote, absent on Service at Fort St. George.

“ Heads of Instructions from the Governor General to the Nabob Mobarek ul Dowlah, respecting his Conduct for the Management of his Affairs.

“ 9th. These I make the Conditions of the Compliance which the Governor General and Council have yielded to your late Requisition. It is but just that you should possess what is your acknowledged Right : But their Intention would be defeated, and you would be in a worse Situation, if you were to be left a Prey, without a Guide, until you have acquired Experience, which, to the Strength and Goodness of your Understanding, will be the Work of but a short Period, to the Rapacity, Frauds, and Artifices of Mankind. You have offered to give up the Sum of Four Lacks of Rupees, to be allowed the free Use of the Remainder of your Stipend : This we have refused, because it would be contrary to Justice. You should consider this as a Proof of the Sincerity of the above Arrangements which have been recommended to you, and of their Expediency to your real Interests ; and your Attention to them will be a Means of reconciling the Company to the Resolution which we have taken, and which will be reported to them in a Light very hurtful both to you and to us, if an improper Effect should attend it. These I have ordered Sir John D'Oyley to read in your Presence, and to explain them to you, that no Part of them may escape your Notice ; and he has my positive Orders to remonstrate to you against every Departure from them.

“ Upon all these Occasions I hope and expect that you will give him a particular and cordial Attention, and regard what he shall say, as if said by myself ; for I know him to be a Person of the strictest Honour and Integrity. I have a perfect Reliance on him ; and you cannot have a more attached or more disinterested Counsellor. Although I desire to receive your Letters frequently, yet as many Matters will occur which cannot so easily be explained by Letters as by Conversation, I desire that you will, on such Occasions, give your Orders to him respecting such Points as you may desire to have imparted to me ; and I, postponing every other Concern, will give you an immediate, and the most satisfactory Reply concerning them. (a)

“ Signed at the End of the Consultation,

Edw^d Wheler.”

To prove the further Support given by Mr. Hastings to the Munny Begum, the Managers for the Commons desired that a Letter from Mr. Hastings to the Court of Directors, dated 3d Nov. 1783, and written without the Knowledge of his Colleagues, might be read.

The same was accordingly read from Book 113, already delivered in.

“ To the Honourable Court of Directors of the Honourable United East India Company. . .

“ Fort William, 3d Nov. 1783.

“ Honourable Sirs,

“ I humbly and earnestly solicit your favourable Attention to the enclosed Letter addressed to me for the Purpose, as I understand, of a Reference to your Honourable Court from Munney Beegum, the principal Widow of the Nabob Meer Mohummud Jaffer Khawn, and once the Directress of his Household. This Introduction to your Notice I have frequently promised to give to her Claims, and I reluctantly yield to the Obligation which her present Solicitation, grounded on my Engagement, imposes on me, to present them at a Time which, on many Accounts, I fear may prove unpropitious to them ; but the Pressure of severe Necessity will not always wait the Delays which Policy may recommend for the better Assurance of Success, and many Years of her Life have elapsed since she first looked to your Justice and Benevolence for the Alleviation of her Sufferings. These are not to be conceived by those who have not a near Acquaintance with the Modes of Female Life in those Countries where the Religion of Mahomed prevails, and among Women of the most elevated Rank ; her's is of that Estimation in these Provinces. Her Education, and the Confidence of her deceased Husband, were the Causes of her being placed, by his Appointment, in the Charge of his Family. How she was removed from it her Letter mentions, but delicately suppresses the Indignities which attended her Privation of Authority. You, Honourable Sirs, will easily turn to their Place on our Records, and will remember, without

(a) Vide Appendix, N° CXXIV.

any Reference, the general Subject of them. You will also remember how, unfortunately for her Ease, Interest, and Dignity, I made her the Instrument of effecting the Regulations which formed the Substance of your First Command to me on my Accession to the Office of President, under the former and ancient System of your Government. I hope I shall not transgress the Lines of Humility in claiming some Merit with your Honourable Court, and a Return yet due to me for the scrupulous and studied Obedience which I paid to those Commands. I was, by private Letters received at the same with them, assured that it was suspected generally that I should elude the Performance of them. I performed them most literally; and drew upon me by it a Host of Enemies, supported even in the Place where my Fidelity merited a more generous Treatment. She too became the Victim of your Policy, and of the Resentments which succeeded. Something too she owed of the Source of her Misfortunes to the Belief of the Personal Gratitude which she might entertain for the publick Attention which I had shewn to her. Yet, exposed as she was to a Treatment which a Russian would have shuddered at committing, and which no Recollection of past Enmities shall impell me to believe, even for a Moment, proceeded from any Commission of Authority, she still maintained the Decorum of her Character; nor even then, nor before, nor since that Period, has the Malice of Calumny ever dared to breathe on her Reputation.

" Pardon, Honourable Sirs, this Freedom of Expostulation. I must in honest Truth repeat that your Commands laid the First Foundation of her Misfortunes. To your Equity she has now Recourse through me for their Alleviation, that she may pass the Remainder of her Life in a State which may at least efface the Remembrance of the Years of her Affliction; and to your Humanity she and an unseen Multitude of the most helpless of her Sex cry for Subsistence.

" It is proper to apprise your Honourable Court, that as this Address is written without the Knowledge of the other Members of the Council, so neither shall I make any Communication to them of the Letter which it encloses. I am now the only remaining Member of your Government, who was formerly a Party in the Dissentions of which Munny Begum was the Object, and perhaps the only one of the present Board who have any Knowledge either of her Pretensions, or, if she has any, of her Demerits. The Virtues of her Sex are such as in their Nature depress their Possessors in Silence and Obscurity, and some Years have passed since she ceased to be an Object of notice. Were I to bring her Claims at this Time before the Board, whether for the Purpose of requiring their effective Sentiments upon them, or simply for official Information, in either Case their Opinions if opposite to mine would be hostile to her, and become the Seeds of future and lasting Injuries in the Breasts of those who may soon become the Disposers of her Fate; and to whom if they succeed to the full Powers of my Office, I should wish to bequeath the same Spirit of partiality which I have ever felt and manifested to the Family of Jaffer Ally Cawn. On this subject it will better become me to commit and avow an Informality, than by a more regular Course to involve an innocent and deserving Person in the Hazard of future Evils.

" I have the Honour to be,

Honourable Sirs,

Your most obedient and most faithful Servant,

Warren Hastings."

Then the Managers for the Commons desired that an Extract of a Letter from Munny Begum to Mr. Hastings might be read.

The Counsel for the Defendant desired the Whole of the Letter might be read.

The same was accordingly read, from the same Book.

" Translation of Arzee from the Nabob Munney Begum, the Widow of the Nabob Meer Mohummud Jaffer Khawn, to the Governor General.

" The usual Introduction.

" My Claims on the Company and the Rulers of this Country are too well known to require that I should here enlarge on them. The Attachment of my Husband, the Nabob Meer Mohummud Jaffer Khawn, to the Company, the Services which he rendered them, and his anxious Concern for their Prosperity, even from the Commencement of their Disputes with Cossim Ally Khawn to the Hour of his Death, are boundless, and such as I shall not attempt to describe; they are preserved in the Records of the Company. During the Life of my Husband, Jaffer Mohummud Khawn, and of our Son, Nujim ul Dowla, who by Favour of the Company was, according to the ancient Custom of the Country, appointed Nazim of Bengal, with an established Salary of Fifty-three Lacks, Eighty-six thousand and one hundred thirty-one Rupees, I was the Mistress of the Family, and uncontrouled in my Expences. I possessed, besides, for my own sole and separate Benefit, the Management of several Khafs Mahals, or Freehold Districts, and other Lands of great Value. So long I continued exempt from every Hardship and Inconvenience. Afterwards, Seif ul Dowla succeeded to the Nizamut; his Salary was first settled at Forty-one Lacks, Eighty-six thousand and one hundred thirty-one Rupees, but was soon afterwards reduced to

to Rupees Thirty-two Lacks. During his Time I continued at the Head of the Women, Relations and Dependants of the Two deceased Nabobs; and however fallen, continued to lead my Life in tolerable Ease. I comforted myself with the Conviction, that the Honourable Company, in due Attention to the Merits of Jaffier Mohummud Khawn, would never be negligent in promoting the Welfare of his Family. In his last Hours indeed he sent for me, and assured me that his Merits with the Company were so well established and acknowledged, that whilst they should continue the Rulers of this Country they would be the careful Guardians of his Honour and Family. And after both his Decease and that of Nujim ul Dowla, Lord Clive came to my House, and gave me similar Assurances. He told me that though nothing could compensate for the Loss of the Two deceased Nabobs, yet that while the Company's Power in this Country continued, it should be extended to the Care and Preservation of the Honour and Family of the Nabob; and that the Gentlemen invested with the Government of this Country would always attend to me, and consult my Welfare and Happiness. So far his Assurances were verified, that during the Life of the Nabob Seif ul Dowla, neither I, nor the Women of the deceased Nabobs, who now depended on me, were subjected to any great Inconveniencies: In the Bengal Year 1179, when the Stipend of the Nizamut was settled at Sixteen Lacks of Rupees, you visited the City: Alarmed by so great a Deduction of the Salary, I laid before you the Circumstances and Situation of our Family, and represented to you the Numbers who depended on me for Subsistence: As you were early and intimately acquainted with the Circumstances of our House, you attentively considered my Situation, and with a benignant Regard to my Ease and Dignity were pleased to grant me a Salary of One Lack forty thousand Rupees, exclusive of the Sum of Sixteen Lacks which had been settled as the Stipend of the Nizamut. From thence I was enabled with whatever Difficulty to subsist myself, and to furnish a bare Support, if nothing more, to the numerous and honourable Relations of the Two deceased Nabobs. In the Bengal Year 1182, when the new Gentlemen arrived from England, great Contentions arose between the Members of Council, and in the Consequences of these were unhappily involved many of the Natives of this Country. Though no Offence had been imputed to me, yet because in Attention to the Deserts of Meer Jaffier, you like your Predecessors were pleased to favour me with your Protection, the new Gentlemen in the Month of Jett 1182, annulled my Salary. So considerable a Deduction from what was before only a bare Subsistence, reduced us, notwithstanding the Rights which we possessed, to a State of extreme Distress; unable to provide for the many Relations and Dependants who looked up to me for Support, I frequently represented my Afflictions to you.* You comforted me with Promises of Assistance. Relying on these, and never doubting that you would kindly consider my wretched Situation, I have, by borrowing, and by the Sale of my Effects, thus long contrived to subsist myself, and support my Relations and Dependants; but the accumulated Distresses which I suffer from the Importunities of my Creditors, and the Difficulties under which I labour, are now beyond all Bounds. I have not the Means to satisfy the one, or Power to bear the other. Affliction seems to threaten a Period to my Days. It is incumbent upon all the English Gentlemen, but, above all, upon you, who, on the Part of the King, the Company, and the English Nation, are the Governor of this Country, and the Distributor of Justice to all who demand it, to consider with Compassion our Situation. If you will not attend to us, who will? Who, besides yourself, can afford us Relief? Consider, that this large Family of helpless Women are possessed of Honour, and the Relations of the deceased Nabob. They are not Servants whom I can dismiss. If, which God forbid, I should not be enabled to support the Family, and they should be obliged to separate, consider the Disgrace and Obloquy which will be proclaimed by such an Event through all the Cities of Hindostan. As on the Part of the King of England and the Company, you are the Possessor and the Ruler of this Country, we call on you with uplifted Hands for Justice, and humbly hope that, in due Consideration of our manifold Claims, and in Attention to the Honour and Happiness of our House, which is One of the most distinguished in Hindostan, you will be graciously pleased to restore to me the yearly Allowance of One Lack forty thousand Rupees as it was before settled on me, that so I may free myself from the Importunities of my Creditors, and, proportioning my Mode of Life to my Circumstances, may pass the Remainder of it in Prayers for the Welfare of the Company, &c."

The Counsel for the Defendant desired the Witness, Mr. Hudson, who produced the above Book, might be asked,

Q. Whether the East India Company did any Thing in Consequence of the before-mentioned Recommendation of the Munny Begum by Mr. Hastings to their Notice when they sent their Dispatches to Bengal?

A. There were Letters in consequence, in which these Letters were referred to.

Q. Was that so?

A. Yes.

The Managers for the Commons stated, they would next prove the Allowance made to the Munny Begum, and the Baboo Begum.

Read, the following Extract, from the Appendix to a Consultation of the 11th June 1787, beginning at Page 134 of an unbound Book, without a Title.

“ Fort William, 11th June 1787.

At a Council, Present,

The Right Honourable Charles Earl Cornwallis, K. B. Governor General, President; and
The Honourable Charles Stuart.

Sir John Macpherson Baronet, absent from the Presidency;
John Shore Esquire, indisposed.

“ Appendix to Consultation 11th June 1787. Nizamut Establishment.

Pensions.

					Monthly.	Annually.
Munny Begum	—	—	—	—	10,000	
Baboo D ^o	—	—	—	—	8,000 (a).	

“ Signed at the End of the Consultation,

Cornwallis.
Chas Stuart.”

To prove the Occupation of the Munny Begum, and what other Resources she had,

Read, from a Book intituled, “ Bengal Board of Revenue,” the following Extract of a Letter from Mr. Pott to Mr. Shore, dated 7th September 1787.

“ Fort William, the 7th September 1787.

“ At a Meeting of the Board of Revenue; Present,

Thomas Graham Esquire, acting President.

Messieurs { John Mackenzie, } Members.
 { Richard Johnson, }

• The President, and Messrs. Cowper and Evelyn, absent.

Mr. James Grant, Chief Sheristadar, &c. absent.

The Roy Royan, absent.

“ Disappointed in his Expectations, he has, by every possible Means, thrown every Impediment, Trouble, and Vexation, in the Way of my executing my Duty. Of the Two Years and Eight Months I have held the Office, he has not, altogether, resided on the Spot Four, nor ever been of the smallest Use to me; but has constantly absented himself, either to Calcutta, or some Foreign Settlement, where, leagued with a Man named Gopee Sircar, formerly employed by Mr. Martin in the Custom Department, but turned out with Ignominy for the most fraudulent Conduct; a Banyan of Sir John Doyley's; one Fauldar, convicted of Frauds in the Nizamut to the Amount of near Three Lacks of Rupees, and dismissed; one Roy Manick Chund, a Moonshy of the Munny Begum's; and one Boze Rajee, a disgraced and degraded Vakeel of the Cuyer Rice Merchants, lately dismissed their Service in consequence of having used their Names in Petitions presented to the Right Honourable the Governor General, and to your Board, complaining of the Panchuttra Dowgah, for which he never had their Authority, but which he persevered in doing in Opposition to their repeated Orders.

“ From these Men, Gentlemen, I have, for a considerable Time, near Two Years, experienced every Impediment that Art and Cunning could devise. Threats, Promises, Bribes, have all been employed; and at this Hour every Gunge has its Emissaries from this Bahab, to induce frivolous and unjust Complaints; and by Threats, such as the Displeasure of Mr. Addison, who is immediately to be appointed my Supercessor; the being summoned down to the Presidency; the being forced to take Oaths; the being stripped of their Employment; with every other Artifice to extort from them Letters of this Kind, are daily sent by this Goffee Sircar from Calcutta to all the principal Men of the Gunges, and my Darogah, a Man who for Seventeen Years has held the Office, a Man of unrepached Character, and perfectly acquainted with the Duties of the invidious and unpleasant Office, fearful that at last this Babab will prevail against him spight of his irreproachable Conduct, to the Ruin of his Character, is desirous of quitting an Office of constant unremitting Toil, Labour, and Altercation; the Reward for which, he fears, will be Disgrace and Shame.

“ I have long borne, Gentlemen, with this cruel Treatment, without presuming to submit it to you; and perhaps should now remain silent, if a very considerable Part of the Honourable Company's Revenue was not endangered by it.

(a) Vide Appendix, N^o CXXV.

" Roy Manick Chund, the Begum's Moonshy, is lately arrived here, from a long Residence in Calcutta, in Quality of her Vackeel, and has had Influence with her to induce her to refuse Payment of the Duty on Spirits, in which Article she is the largest Dealer in this Division, as indeed she is in every Species of Trade. The Consequence has been, I this Day received a verbal Message from Muzuffer Jung, informing me " that he should pay the Duty in the same Mode as the Munny Begum," having previously ordered my Peons away from his Gunges. The Dewan Soonder Sing has, on the Part of His Highness the Nawab, also refused, though hitherto regularly paid; and Representations from Goordafs's Family, Meer Sidoo, and the principal People of the City, who engross the Whole of the Trade, pointing out how unjust it is that they should pay what the Begum, &c. refuse. Roy Manick Chund's Malevolence towards my Darogah, is evident in the Letter he has made the Munny Begum write; and his Object is, adding by any Means to the Clamour he, Mr. Addison, Goffee Sircar, and the Boole Rajah, had endeavoured to excite against my Darogah." (a)

Read, further Extract from the same Letter.

" I beg leave to remark, Gentlemen, that though the Bhegum is pleased, in the foregoing, to style her Mahals Lackeruge, and so very repeatedly to remark that they are, and ever have been, exempt from all Duties, Taxes, &c.—yet the Fact is diametrically opposite. They have ever paid every Duty, &c. other Gunges pay, and till now she has even paid the one in Question on Arrack; she has the five largest Gunges in the Division, and of every Sort of Trade and Traffick carried on in the City, she and her Dependants engross by much the most considerable Proportion. Were her Gunges, Hummars, Bazars, and Mahals exempt from Duties, I fancy few Ryats and Beoparries would frequent any other." (b)

(Signed) R. Pott,
C. G. C.

And at the End of the Consultation,

Tho' Graham,
John Mackenzie,
R^d Johnson."

To shew in what Manner Mr. Hastings was stimulated by the other Members of the Board to make a Defence to this Charge of Bribery,

Read, from Book 7, already delivered in, the following Extract of a Consultation of the 22d of April 1775, beginning at Page 1892 of the same Book.

" Fort William, the 22d of April 1775.

Sec. Dept.
Saturday,

" At a Council; Present,
The Honourable Warren Hastings, Governor General, President;
Lieutenant General John Clavering,
The Honourable George Monson,
Richard Barwell, } Esquires.
Philip Francis,

" Fort William, the 21st March 1775.

Mr. Francis
singly.

" Mr. Francis.—The Governor General, in his Minute of the 13th instant, has been pleased to pass a very severe Judgement upon my Conduct, in laying before the Board a Letter delivered to me by Maha Raja Nundcomar, and addressed to the Governor and Council. He affirms that it is not a Duty belonging to my Office to convey a Letter, of which the Contents were unknown to me, and that if they were false, I ran the Hazard of presenting a Libel to the Board. In pronouncing this Sentence against me, our common Judges may perhaps be of Opinion that the Governor General himself has transgressed the Line of his Duty, and assumed an Authority which does not belong to his Person, or to his Station: He is undoubtedly my Superior, as he often tells us; but he is certainly not my Judge. Yet, conscious of the Rectitude of my Intentions, however I may have been mistaken in Point of Judgment, there is no Tribunal at which my Character and Conduct can be fairly tried, to which I am not at all Times ready to submit.

" With respect to Raja Nundcomar's Letter, I must remind the Board that it was introduced with a previous Minute, in which I mentioned by what Means it came into my Hands, and the Person from whom I received it. The Governor General, who had long expected the Appearance of such a Letter, and was apprized of the Contents of it, made no Objection however to its being

(a) Vide Appendix, N° CXXVI.

(b) Vide Appendix, ibid.

received and read at the Board. When the Man who advances a specific Charge, declares himself ready to come forward and support it, and to hazard the Consequences of failing in his Proofs, it may still indeed be presumed that the Charge is false; but it does not partake of the Nature of a Libel. A Libeller advances Charges which he does not intend, or is unable to make good; when called upon to appear and produce his Evidence, he shelters himself sometimes in the Obscurity, sometimes in the Superiority of his Situation, and leaves the Accusation without an Accuser, to operate as far as it can in the Opinions of Men, against the Honour and Reputation of the Party accused. Raja Nundcomar is not an obscure Person in this Country, nor does he in this Instance act the Part of a Libeller. He is himself of very high Rank. He publicly accuses the Governor General of Misconduct in his Office, and desires to be heard in Person in Support of his Charge. Let it be supposed that I was particularly acquainted with the Contents of the Letter. My Superiors will determine whether, consistently with my Duty, or even with the personal Respect I owe the Governor General, I could have refused to bring such an Accusation to an immediate Examination. If hereafter a similar Charge should be produced against myself, and previously communicated to any Member of this Council, I shall hope and expect it, from his Candour and Justice, that he will not only bring the Accusation but the Accuser immediately before the Board. Nothing but the Consciousness of Guilt can ever make me shrink from a public Examination of my Conduct. The true Dignity of my Character and Office will, as I conceive, be most effectually supported by meeting my Accuser in Front, and proving my Innocence. A direct and public Charge is brought against the Governor General; he deems it unworthy of his Dignity to vindicate his Reputation. I am not his Accuser, nor do I desire to be his Judge (a)."

(Signed)

" P. Francis.

(Signed at the End of the Consultation)

" Warren Hastings,
J. Clavering,
Geo. Monson,
Rich^d. Barwell,
P. Francis."

Read, from Book 179, already delivered in, the following Extract of a Minute of General Clavering, Colonel Monson, and Mr. Francis, of the 15th of Sept. 1775.

" Fort William, 15th Sept. 1775.

" Minute from General Clavering, Colonel Monson, and Mr. Francis.

" Par. 2. The Governor General accuses us of attacking him with Declamation and Invektive; yet from the first Outset of the Differences between us, he has not ceased to attribute every one of those Measures which we thought it our public Duty to pursue, and which we do not doubt will stand the Test of a Parliamentary Enquiry, to a premeditated Design to drive him from the Government. A Man who, on all Occasions, permits himself to ascribe our Conduct to so base a Motive as the sole immediate Purpose of working his Overthrow, would have no Title to complain of any Terms in which we might think fit to retort such injurious Treatment. But although we have his own Example to plead, we do not admit that we have followed it.

" The Proofs produced against him, both positive and presumptive, are too strong to require the Assistance of Declamation; and whatever Emotions the Whole, or any Part of his Conduct, might excite in us, they are certainly unmixed with any personal Repentment, which alone would give Birth to Invektives.

" 3. Mr. Hastings says, it is an Insult on his Situation to suppose that it requires Courage in any Man to declare openly against his Administration. After the Prosecution so obstinately continued against Mr. Fowke, until a Verdict could be obtained against him, notwithstanding he had been honourably acquitted at his First Trial for the same Charge, and after the Death of Nundcomar, the Governor, we believe, is well assured, that no Man who regards his own Safety will venture to stand forth as his Accuser.

" 12. In stating the Evidence brought before the Board of his receiving near a Moiety of the late Fouzdar of Houghly's Salary, he takes no Notice of the Two Letters from the Fouzdar himself, by which the Charge is supported. Without these Letters, the Authenticity of which was not disputed by the Fouzdar, we should have given but little Credit to the Evidence of the Person who produced them.—Mr. Hastings does not deny the Fact, nor has he in this, or in the Case of the specific Charge brought against him by Nundcomar, ever ventured to plead Not Guilty. Provided

he can secure himself from Conviction in a Court of Law, he seems to care very little what the Court of Directors or the World may think of him.

“ 13. He seems very ready, however, to appeal to the Knowledge or Opinion of Gentlemen who have gone from this Country, or who have Connections here, for Testimonials in his Favour.—We will not submit our Cause to such a Tribunal at a Crisis like that which is probably approaching. He has Reason enough to expect that a considerable Part of what is commonly termed the India Interest, will be united to support him.—Whether we shall be supported or not in the Execution of the heavy Task assigned us, is, with Respect to ourselves, a Question of perfect Indifference. Let the Decision at Home be what it may, it cannot but be attended with some personal Advantage to us; if we are continued in the Administration of this Government, our Principles and Conduct must be honoured with the Approbation of our Superiors:—If not, we shall feel no Reluctance in quitting a Country in which the strictest Execution of the most painful and laborious Duties serves only to harass and distress us, without offering us the Prospect of any proportionate Acknowledgement of our Services.

“ 14. In Answer to every Thing the Governor General has said upon the Subject of the Dismission of Mony Begum, we content ourselves with observing, that it was not an Operation of such mighty and pompous Importance as he makes it: She is not the Nabob's Mother: She is not by Birth a Woman of any Rank, but originally, as we are informed, a Slave and a Dancing Girl. We consider her merely as an Instrument in the Governor's Hand to dispose of the Nabob's Revenue as he might think proper. His committing the Guardianship of the Nabob to a weak Woman, as he calls her in another Place, is not to be accounted for on any other Principle.—In this Country, still more than in any other, a Woman is particularly disqualified for such an Office. We affirm also, that her Appointment was in direct Opposition to the Orders of the Court of Directors, contained in their Letter of the 5th of August 1771. They order the Governor and Council to substitute some Person in the Place of Mahomed Reza Cawn, who might be well qualified for the Affairs of Government, and to recommend him to the Nabob to be Minister of the Government, and Guardian of the Nabob's Minority. Instead of obeying these judicious Orders, Mr. Hastings and his Council divided the Office, and the Salary annexed to it, among Three Persons; the First, a weak Woman, incapable, in this Country, of any active Employment; we believe there never was an Instance in India of such a Trust so disposed of. The Second, Rajah Goordas, whom Mr. Hastings now calls a young Man of mean Abilities, a Gentoo, and the Son of Rajah Nundcomar. The Third, Rajah Bullub, whose Youth and Inexperience evidently made it impossible that he should be fit for such an Office as that of Roy Royan; in the Hands of the Governor General he may be a convenient Instrument. By this State of the whole Transaction it appears, that the First Measure of Mr. Hastings's Government was a direct Disobedience of the Company's Orders.

“ 15. Our Appointment of Rajah Goordas was temporary; we had no Choice but between him and the Nabob's Mother. As for Mony Begum, the present Distresses of the Nabob and his Family, the Clamours of his Creditors, and the mean and dishonourable State in which he was kept, sufficiently show what Care she took of his Revenues, and in what Manner they were disposed of. Her Care of his Education stands much upon the same Footing; while she was destroying his Fortune, it is not likely that she should attend to the Cultivation of his Mind; nor do we conceive it possible that she could be qualified for such a Trust. The Accounts brought down by Mr. James Grant are under Examination. The Over-payment of near 14 Lacks, on Account of the Nabob's Pension in the Year 1772, is admitted by Mr. Hastings as a material Error. The Nabob's present Debts, contracted during the Guardianship of the Begum, are supposed to amount to Nine Lacks. If any Regard had been paid to the Company's Orders of August 1771, which direct that the Minister at the Durbar should deliver annually to the Board a regular and exact Account of the Application of the several Sums paid by the Company to the Nabob, such Waste and Embezzlement could not have happened; but on the other Hand, some Gentlemen who appear to have profited by the Begum's Bounty, would have been precluded from One of the principal Sources of their Emoluments.

“ 20. We now proceed to the Governor's Minute of the 30th July. He asserts, that the Begum was compelled to deliver a Paper to Mr. Goring, containing an Account of Two Sums, of a Lack and a Half each, given to Mr. Middleton and the Governor. We pay no Regard to that private Information from which the Governor collects his Accounts of Mr. Goring's supposed ill Treatment of the Begum. We do not believe that any Compulsion was used with her to induce her to make this Discovery. If there was, let him prove it. The Court of Directors will see that on her mentioning an Intention to come to Calcutta, she had immediate Permission given her to remove to this Town, or to any other Part of the Provinces. We confess it appears very extraordinary that Mr. Hastings should employ so much Time and Labour to shew that the Discoveries against him have been obtained by improper Means, but that he should take no Step whatsoever to invalidate the Truth of them; he does not deny the Receipt of the Money. The Begum's Answers to the Questions put to her at his own Desire, make it impossible that he should deny it. It seems he has formed some Plan of Defence against this and similar Charges, which he thinks will avail him in a Court of Justice, and which

it would be imprudent in him to anticipate at this Time. If he has not received the Money, we see no Reason for such a guarded and cautious Method of Proceeding. An innocent Man would take a shorter and easier Course. He would voluntarily exculpate himself by his Oath.

" 21st. The Governor quotes Part of a Letter from Nunid Roy. If he had given the Whole of it, the Court of Directors would see that it contains an Account of 7 Lacks of Rupees distributed among Gentlemen in the Company's Service out of the Nabob's Treasury:

" 29. The Governor's pathetic Representation of the Tyranny exercised by Mr. Goring over the Begum, the Nabob, and their Servants, has not a single Fact or Proof to support it. Supposing the Necessity of dismissing the Begum, of which we are every Day more and more convinced, we know not how such a Measure could be conducted with greater Mildness and Moderation. The Remainder of the Governor's Minute is in the same Style of Declamation. We have made no Authoritative Demands on the Supreme Court of Judicature, nor proposed any ensnaring Questions to them; neither have we reduced the Nabob and his Household to a State of Servitude: On the contrary, we have relieved him from the vilest Dependence upon the Caprices of a Woman who wasted his Fortune, neglected his Education, and denied him not only every Indulgence, but even the common Necessaries to support an Appearance equal to his Rank (a).

(Signed at the End)

" J. Clavering,
Geo. Monlon,
P. Francis."

Read, from the same Book, the following Extract of Mr. Hastings's Answer to the above Observations.

[Observations on the Minute of General Clavering, Colonel Monlon, and Mr. Francis, dated 15th Sept. 1775.

I shall reply to each Paragraph of this Minute separately.

2. Requires no Reply.

3. This merits none.]

§ " 4. I have declared on Oath before the Supreme Court of Justice, that I neither advised nor encouraged the Prosecution of Maha Rajah Nundcomar. It would have ill become the First Magistrate in the Settlement to have employed his Influence either to promote or dissuade it:" §

[12, 13, 14, 15. These require no Reply.

20, 21. These require no Reply.

29. This requires no Reply.]

The Managers for the Commons stated, they would next call Mr. Goring, to prove that the Confessions of the Munny Begum, said to be extorted from her by him, were not extorted.

Mr. GORING was accordingly called in.

The Managers for the Commons being asked what Question they proposed, said, they would first ask,

Q. Whether the Witness was not sent by Publick Commission to Murshedabad?

The Counsel for the Defendant observed, that if there was any such Commission, it ought to be produced.

The Managers for the Commons being asked what other Question they proposed, said, the Drift of the Questions they proposed to ask the Witness, was to shew that there had been no improper Treatment used by him towards the Begum, to induce her to write any of the Papers in Evidence before the House.

The House informed the Managers for the Commons, that in the common and ordinary Course of Evidence, a Witness was always understood to have conducted himself fairly till some Imputation was thrown upon him; if any such Imputation should be made, then would be the Time to repel it.

The Managers for the Commons stated, that there was in Evidence a Letter from Mr. Hastings, in which he stated that the Munny Begum had received Treatment which would disgrace a Ruffian, and that Imputation they could prove to be false and groundless.

(a) Vide Appendix, N° CXXVII.

The Counsel for the Defendant objected that the Letter alluded to, such as it was, had been given in Evidence by the Managers for the Commons themselves.

The House informed the Managers for the Commons, that the Question proposed by them to be put to the Witness, as taken down, was as follows :

Whether the Witness used any coercive Behaviour to the Munny Begum, to draw from her any of the Letters read in Evidence ?

Then the House adjourned to the Chamber of Parliament.

Die Mercurii, 8° Julii 1789.

THE Lords being in their Places, the House resumed, the usual Proclamations made, and the Defendant appearing at the Bar, the Lord Chancellor said ;

“ Gentlemen, Managers for the House of Commons, and you, Gentlemen, who are of Counsel for the Defendant, the Lords have resolved, That the Question proposed to be asked the Witnesses by the Managers for the Commons, ought not to be put.— Gentlemen, Managers for the Commons, you may proceed to make good your Charge.”

The Managers for the Commons acquainted the House, that they had finished their Evidence upon this Part of the Sixth Article of Charge.

Then the House adjourned to the Chamber of Parliament.

Die Martis, 16^o Februarii 1790.

THE Lords being in their Places, the House resumed, the usual Proclamations made, and the Defendant appearing at the Bar, the Lord Chancellor informed the Managers for the Commons, they might proceed to make good their Charge.

Mr. Anstruther was heard to open the remaining Part of the Sixth Article of Charge, and also Part of the Seventh Article.

Then the House adjourned to the Chamber of Parliament.

Die Jovis, 18^o Februarii 1790.

THE Lords being in their Places, the House resumed, the usual Proclamations made, and the Defendant appearing at the Bar, the Lord Chancellor informed the Managers for the Commons, they might proceed with their Evidence.

The Managers for the Commons stated, that the First Piece of Evidence which they should proceed to lay before the House, was a Letter from Mr. Hastings to the Court of Directors, dated the 29th of November 1780; which, though it purported to be a Letter of Discovery of a Receipt of Presents, was of a direct contrary Tendency.

Then Mr. ROBERT HUDSON was called in, and produced Book 29, before delivered in.

Read, the following Extract, being a Letter from Mr. Hastings to the Honourable Court of Directors of the Honourable United East India Company, dated Fort William, 29th November 1780.

“ Fort William, 29th November 1780.

“ To the Honourable the Court of Directors of the Honourable the United East India Company.

“ Honourable Sirs,

“ You will be informed by our Consultations of the 26th of June, of a very unusual Tender which was made by me to the Board on that Day, for the Purpose of indemnifying the Company for the extraordinary Expence which might be incurred, by supplying the Detachment under the Command of Major Carnac, in the Invasion of the Maratta Dominions, which lay beyond the District of Gohid; and drawing the Attention of Mahdajee Sindia, to whom that Country immediately appertained, from General Goddard, while his was employed in the Reduction of Basseen, and in securing the Conquests made by your Arms in Gujerat. I was desirous to remove the only Objection which had been, or could ostensibly be made to the Measure which I had very much at Heart, as may be easily conceived from the Means which I took to effect it: For the Reasons at large which induced me to propose that Diversion, it will be sufficient to refer to my Minute recommending it, and to the Letters received from General Goddard, near the same Pe-

riod of Time. The Subject is now become obsolete, and all the fair Hopes which I had built upon the Prosecution of the Maratta War, of its Termination in a speedy, honourable, and advantageous Peace, have been blasted by the dreadful Calamities which have befallen your Arms in the Dependencies of your Presidency of Fort St. George, and changed the Object of our Pursuit from the Aggrandizement of your Power to its Preservation.

“ My present Reason for reverting to my own Conduct, on the Occasion which I have mentioned, is to obviate the false Conclusions or proposed Misrepresentations, which may be made of it, either as an Artifice of Ostentation, or as the Effect of corrupt Influence, by assuring you that the Money, by whatever Means it came into your Possession, was not my own, that I had myself no Right to it, nor would or could have received it, but for the Occasion which prompted me to avail myself of the accidental Means, which were at that Instant afforded me, of accepting and converting it to the Property and Use of the Company, and with this brief Apology I shall dismiss the Subject.

“ Something of Affinity to this Anecdote may appear in the first Aspect of another Transaction, which I shall proceed to relate, and of which it is more immediately my Duty to inform you: You will have been advised by repeated Addresses of this Government, of the Arrival of an Army at Cultac, under the Command * Chinnajee Boosla, the Second Son of Moodajee Boosla, the Raja of Berar.

“ The Origin and Destination of this Force have been largely explained and detailed in the Correspondence of the Government of Berar, and in various Parts of our Consultations. The minute Relation of these would exceed the Bounds of a Letter: I shall therefore confine myself to the principal Fact. About the Middle of the last Year, a Plan of Confederacy was formed by the Nabob Nizam Ally Cawn, by which it was proposed, that while the Army of the Marattas, under the Command of Mahdajee Sindia, and Tuckoojee Hoolkar, was employed to check the Operations of General Goddard in the West of India; Hyder Ally Cawn should invade the Carnatic, Moodajee Boosla the Provinces of Bengal, and he himself the Sircars of Rajamundry and Chicacole.

“ The Government of Berar was required to accept the Part assigned it in this Combination, and to march a large Body of Troops immediately into Bengal. To enforce the Request on the Part of the ruling Member of the Maratta State, Menaces of instant Hostility by the combined Forces were added by Mahdajee Sindia, Tuckoojee Hoolkar, and Nizam Ally Cawn, in Letters written by them to Moodajee Boosla on the Occasion. He was not in a State to sustain the Brunt of so formidable a League, and ostensibly yielded; such at least was the Turn which he gave to his acquiescence, in his Letters to me; and his subsequent Conduct has justified his Professions. I was early and progressively acquainted by him with the Requisition, and with the Measures which were intended to be taken, and which were taken by him upon it. The Army professedly destined for Bengal marched on the Dufferra of the last Year, corresponding with the 7th of October. Instead of taking the direct Course to Bahar, which had been prescribed, it proceeded, by various Deviations and studied Delays, to Cultac, where it arrived late in May last, having performed a practicable journey of Three Months in Seven, and concluded it at the instant Commencement of the Rains, which of course would preclude its Operations, and afford the Government of Berar a further Interval of Five Months to provide for the Part which it would then be compelled to chuse. In the mean Time Letters were continually written by the Rajah and his Minister to this Government, explanatory of their Situation and Motives, proposing their Mediation and Guarantee for a Peace and Alliance with the Peshwa, and professing, without Solicitation on our Part, the most friendly Disposition towards us, and the most determined Resolution to maintain it.

Conformably to these Assurances, and the Acceptance of a Proposal made by Moodajee Boosla, to depute his Minister to Bengal, for the Purpose of negotiating and concluding the proposed Treaty of Peace; Application had been made to the Peshwa for Credentials to the same Effect. In the mean Time the fatal News arrived of the Defeat of your Army at Conjeeveram.—It now became necessary that every other Object should give Place, or be made subservient to the Preservation of the Carnatic; nor would the Measures requisite for that End admit an Instant of Delay.—Peace with the Marattas was the first Object.—To conciliate their Alliance, and that of every other Power in natural Enmity with Hyder Ally, the next instant Measures were taken (as our general Advices will inform you) to secure both these Points, and to employ the Government of Berar as the Channel and Instrument of accomplishing them. Its Army still lay on our Borders, and in Distress for a long Arrears of Pay, not less occasioned by the Want of pecuniary Funds than a Stoppage of Communication. An Application had been made to us for a Supply of Money, and the Sum specified for the complete Relief of the Army was Sixteen Lacks.—We had neither Money to spare, nor in the apparent State of that Government in its Relation to ours would it have been either prudent or consistent with our public Credit to have afforded it.—It was nevertheless my decided Opinion, that some Aid should be given, not less as a necessary Relief than as an Indication of Confidence, and a Return for the many Instances of substantial Kindness, which we had within the Course of the last Two Years experienced from the Government of Berar.—I had an Assurance that such a Proposal would receive the Acquiescence of the Board; but I knew that it would not pass without Opposition, and it would have become public, which might have defeated

10th Sept.
1780.

defeated its Purpose.—Convinced of the Necessity of the Expedient, and assured of the Sincerity of the Government of Berar from Evidences of stronger Proof to me than I could make them appear to the other Members of the Board—I resolved to adopt it, and take the entire Responsibility of it upon myself.—In this mode a less considerable Sum would suffice. I accordingly caused Three Lacks of Rupees to be delivered to the Minister of the Rajah of Berar, resident in Calcutta.—He has transmitted it to Cultac.—Two Thirds of this Sum I have raised by own Credit, and shall charge it in my official Accounts. The other Third I have supplied from the Cash in my Hands belonging to the Honourable Company. I have given due Notice to Moodajee Boosla of this Transaction, and explained it to have been a private Act of my own, unknown to the other Members of the Council. I have given him Expectations of the Remainder of the Amount required for the Arrears of his Army, proportioned to the Extent to which he may put it in my Power to propose it as a public Gratuity, by his effectual Orders for the Recall of these Troops, or for their Junction with ours.

“ I hope I shall receive your Approbation of what I have done for your Service, and your Indulgence for the Length of this Narrative, which I could not comprise within a narrower Compass.

I have the Honor to be,
Honourable Sirs,
Your most faithful, obedient, and humble Servant,
Warren Hastings.”

The Managers for the Commons stated, they should next proceed to shew that the Letter last produced was written at the Time Mr. Francis was leaving Bengal.

The Witnesses produced Book 79, intituled, “ Bengal Council.”

Read, the following Extract of a Consultation of the 2d November 1780, beginning at Page 651 of the same Book.

“ Fort William, 2d November 1780.

“ At a Council ; Present,
The Honourable Warren Hastings, Governor General, President ;
Philip Francis, } Esquires.”
Edward Wheler, }
Lieutenant General Sir Eyre Coote K. B. absent on Service.

Pub. Dept.
Thursday.

“ Mr. Francis.—As I propose to return to England in the course of the present Season, it will be a Convenience to me, in the Settlement of my Affairs here, if the Board will be pleased to give Orders that my Salary for the Months of October, November, and December, may be now issued to me ; I therefore request an Order may be sent to the Treasury for this Purpose.

Signed, “ P. Francis.”

(No Signature at the End.)

The Managers for the Commons stated, they should next proceed to falsify the before-mentioned Letter of the 29th of November 1780, in all its Parts ; for which Purpose they would first produce a Secret Consultation of the 9th of January, 1781, from whence it would appear, that that Part of the Letter in which it was stated by Mr. Hastings, “ that Two Thirds of the Sum therein mentioned was raised on his own Credit, and “ that he should charge it in his Official Accounts ;” and that “ the other Third he “ had supplied from Cash in his Hands belonging to the Company,” was not true.

Read, from Book 54, already delivered in, the following Extract of a Secret Consultation of the 9th of January 1781, beginning at Page 24 of the same Book.

“ Fort William, 9th January 1781.

“ At a Council ; Present,
The Honourable Warren Hastings, Governor General, President ;
Edward Wheler Esquire,
Lieutenant General Sir Eyre Coote, absent on Command at the Presidency of Fort St. George.

Secret Dept.
Tuesday.

“ The following Letter from the Governor General having been circulated, and the Request therein made complied with, an Order on the Treasury passed accordingly.

“ Honourable Sir, and Sirs,

Gov. Gen.

“ Having had Occasion to disburse the Sum of Three Lacks of Sicca Rupees, on Account of Secret Services, which having been advanced from my own own * private Cash ; I request that the * Sic in Orig. same may be repaid to me in the following Manner :

“ A Bond

" A Bond to be granted me upon the Terms of the Second Loan, bearing Date from the 1st October, for One Lack of Sicca Rupees.

" A Bond to be granted me upon the Terms of the First Loan, bearing Date from the 1st October, for One Lack of Sicca Rupees.

" A Bond to be granted me upon the Terms of the First Loan, bearing Date from the 2d October, for One Lack of Sicca Rupees.

" I have the Honour to be,

&c. &c.

" Fort William,

5th January 1781.

" Warren Hastings.

" No Signature at the End of the Consultation."

The Managers for the Commons stated, they should next proceed to shew that Mr. Hastings took that to himself, which in his Letter of the 29th of November before produced, he stated to belong to the Company.

The Witnesses produced a Paper indorsed as follows :

" Duplicate.

" Calcutta, 5th August 1786.

" Letter from William Larkins Esquire, Accountant General at Bengal, to the Chairman of the East India Company.

" Read in Court, 9th March 1787."

Read, the following Extract from the same.

" Duplicate.

" To William Devaynes Esquire, Chairman, or to the Chairman for the Time being, of the Honourable the Court of Directors of the United Company of Merchants of England trading to the East Indies."

" Although the Two first stated Sums are, in the Paper marked N^o 1, asserted to have been paid to Mr. Croftes on 18th and 19th Affin 1187, which corresponds with the 1st and 2d November 1780, yet the Copy of the Bengal Running Treasury Account, which is now in England, will not be found to contain any such Sums as received from Mr. Hastings under these Dates, because these, together with another Sum of Sicca Rupees One Lac, which were taken from his own Cash at that Time, made up the first Supply that was sent to the Marrattah Army under Chimnaje Boosla, which the Sub-Treasurer could not bring to Account, until he was authorised by an express Order of Council upon the Treasury for that Purpose, which was not granted until 5th January 1781, after which, viz. on 15th of that Month, the Head of Secret Service was debited for the Amount of that Supply, and the Head of Money borrowed at Interest 1780, credited for these Sums, for which the Bonds N^o 1539, dated 1st October 1780, and N^o 1540, dated 2d October 1780, each for the Sum of Current Rupees 1,16,000, or Siccas One Lac, were granted; the Remainder of that Amount was carried to the Credit of the Head of Four per Cent. Remittance Loan; Mr. Hastings having taken a Bond, N^o 89, which has been since completely liquidated conformable to the Terms of that Loan.

" (Signed at the End) W^m Larkins." (a)

" Calcutta, 5th Aug. 1786.

The Managers for the Commons informed the House, they would next proceed to shew that One Third of the Sum, originally stated by Mr. Hastings to belong to the Company, was actually paid to Mr. Hastings's Attorney :—That the Bonds were turned into Bills; and that they should now therefore produce the Bills themselves; for which Purpose they desired Mr. Parker might be called in.

Mr. PARKER was accordingly called in, and being sworn, was examined as follows :

Q. What Office are you in?

A. A Clerk in the Treasury Office of the East India Company.

Q. What have you in your Hand?

A. Five India Bills, drawn at Fort William in Bengal, and paid in England.

The Witnesses delivered in the Bills, the same were read, and are as follow :

132.

" To the Committee of the Treasury.

You may please to pay to Messrs. John Woodman, William Waller, and Francis Sykes, or Order, Two thousand five hundred and ninety-eight Pounds, Eight Shillings, in full for a

(a) Vide supra Appendix, N^o XLIX.

First

First Bill of Exchange, drawn from Fort William, 1st December 1783; Value Rupees 25,984, at 2 s. per Rupee; accepted here per Order of Court, and take a Discharge.—£. 2,598 : 8 s.

J. B.

“ London, the 12th December 1785.
82 N° 5.

Thomas Woodruff.

“ T. G. L. Due 10th December. 444.”

“ 10 Dec. (33

“ First, N° 132.

“ Fort William, the First Day of December 1783. For Pounds Sterling 2,598 : 8 s. or Current Rupees 25,984, at 2 s. and 365 Days Sight.

“ At Three hundred and sixty-five Days Sight of this our First of Exchange (Second and Third of same Tenor and Date not being paid), pay, or cause to be paid, unto John Woodman, William Waller, and Francis Sykes, or Order, the Sum of Pounds Sterling Two thousand five hundred and ninety-eight and Eight Shillings, the same being for Current Rupees Twenty-five thousand nine hundred and eighty-four, (at the Exchange of Two Shillings Sterling per Current Rupee), in Satisfaction for One-fifth Part of the Principal of a Bond, N° 89, for Current Rupees One hundred and sixteen thousand, granted to the Honourable Warren Hastings Esquire, on Account of the Remittance Loan at Four per Cent. per Annum, and for the Interest arising on Three-fifths of the said Principal, from the First of December 1782, to the present Date, as per Advice from,

“ To the Honourable the Court
of Directors for Affairs of the
Honourable United Company of
Merchants of England trading to the
East Indies,

London.

“ Examined,
Ja^s Miller,
Sub Account.

10 Dec^r.

Indorsed on the Back as follows :

“ Fra^s Sykes,
W^m Waller,
John Woodman.

“ Rec^d for Mefs^r Crofts, Devaynes, & Co.

R. Barwick.”

“ Honourable,

Your faithful humble Servants,

Warren Hastings,
Edw^d Wheeler,
John Macpherson,
John Stables.

“ Accepted, by Order of the said
Court, from the 7th December
1784.

~~The Morton,
Sec^y~~

B. 1,000 : 0
1,000 : 0
300 : 0
100 : 0
100 : 0
50 : 0
40 : 0
8 : 8

2,598 : 8

“ To the Committee of the Treasury.

“ You may please to pay to John Woodman, William Waller, and Francis Sykes, or Order, Two thousand eight hundred and sixty-one Pounds Six Shillings and Eight-pence, in full for a First Bill of Exchange, drawn from Fort William, the 1st December 1781, Value Rupees 28,613 : 5 : 4, at 2 s.; accepted here per Order of Court, and take a Discharge. } £. 2,861 : 6 : 8

Ex^t. J. H.

“ London, the 9th August, 1783.
C. Aubury.

92. W. H. due to Aub.

507.

Gosling and Co.

“ First. N° 201.

“ Fort William, the First Day of December 1781, for Pounds Sterling 2,861 : 6 : 8 —or Current Rupees 28,613 5 4, at 2 Shillings, and 365 Days Sight.

“ At Three hundred and sixty-five Days Sight of this our First of Exchange, (Second and Third of same Tenor and Date not being paid), pay or cause to be paid unto John Woodman, William Waller, and Francis Sykes, or Order, the Sum of Pounds Sterling Two thousand eight hundred

hundred and sixty-one, Six Shillings and Eight-pence, the same being for Current Rupees Twenty-eight thousand six hundred and thirteen, Five Annas, and Four Pice, (at the Exchange of Two Shillings Sterling per Current Rupee), in Satisfaction for the Interest and One Fifth Part of the Principal of a Bond N^o 89, for Current Rupees One hundred and sixteen thousand, granted to the Honourable Warren Hastings Esq. on Account of the Remittance Loan, at 4 per Cent. per Annum, as per Advice of this Date from,

" Honourable,

" To the Honourable the Court of Directors for Affairs of the Honourable United Company of Merchants of England trading to the East Indies, London.

Your faithful humble Servants,

Warren Hastings,
Edw^d Wheler,
John Macpherson.

" Accepted, by Order of the said Court, from the 7th August 1782.

B. Michell,
Secy.

" Examined,
Ja^s Miller,
Sub Accompt."

Indorsed on the Back as follows:

" Fra^s Sykes,
W^m Waller,
John Woodman.

" Received for
Messrs. Gosling,
W^m Ellis."

2861 : 6 : 8
6025 : 2 : 1
2200 : 0 : 0
1650 : 0 : 0
1927 : 6 : 9

14,663 : 15 : 6

10th August."

175.

" To the Committee of the Treasury.

" You may please to pay to John Woodman, William Waller, and Francis Sykes, or Order, Two thousand five hundred and five Pounds Twelve Shillings, in full for a First Bill of Exchange drawn from Fort William, the 1st December 1784, Value Rupees 25,056, at 2 s. each; accepted here per Order of Court, and take a Discharge. } £. 2,505 : 12 s.

" London, the 26th July, 1786.

" J. Jordan."

141
J. J. Due 23d July, 1786.

349.

" First. N^o 175.

" Fort William, the 1st Day of December, 1784; for Pounds Sterling 2,505 : 12 s. or Current Rupees 25,056, at 2 s. and Three hundred and sixty-five Days Sight.

" At Three hundred and sixty-five Days Sight of this our First of Exchange, (Second and Third of same Tenor and Date not being paid), pay, or cause to be paid, unto John Woodman, William Waller, and Francis Sykes, or Order, the Sum of Pounds Sterling Two thousand five hundred and five and Twelve Shillings, the same being for Current Rupees Twenty-five thousand and fifty-six, (at the Exchange of Two Shillings Sterling per Current Rupee), in Satisfaction for One Fifth Part of the Principal of a Bond, N^o 89, for Current Rupees One hundred and sixteen thousand, granted to the Honourable Warren Hastings Esquire, on Account of the Remittance Loan, at Four per Cent. per Annum, and for the Interest arising on Two Fifths of the said Principal from the 1st of December, 1783, to the present Date, as per Advice from,

" Honourable,

" To the Honourable the Court of Directors for Affairs of the Honourable United Company of Merchants of England trading to the East Indies, London.

Your faithful humble Servants,

Warren Hastings,
John Macpherson,
John Stables.

" Accepted, by Order of the said Court, from the 20th July, 1785.

Tho^s Morton,
Secy.

" Examined,
Ja^s Miller,
Sub. Accompt."

Indorsed

Indorsed on the Back as follows :

“ W^m Waller,
Fra^s Sykes,
John Woodman.

2,505 12 :
1,080 : :

3,585 12 :

Rec^d
Messrs. Gosling,
W. Ellis.”

2 — 1000 B 2,000 : :
2 — 500 1,000 : :
300 : :
200 : :
30 : :
40 : :
15 : :
: 12 :

3,585 12 :

331. 23d July, 86.

164.

“ To the Committee of the Treasury.

“ You may please to pay to John Woodman, William Waller, and Francis Sykes, Esquires, or Order, Two thousand eight hundred and twenty-five Pounds Fifteen Shillings and Two-pence, in full for the Principal and Third or last Year's Interest of a 1st Bill of Exchange, drawn from Fort William, 1st December 1782, Value Rupees 26,912, at 2 s. each; accepted here per Order of Court, and take a Discharge.

“ London, Principal — £. 2691 : 4 : 0
the 8th June 1787, One Year's Interest, at 5 per Cent. 134 : 11 : 2
J. Jordan. Ex^d W. B. ————— £. 2825 : 15 : 2

251 671.
“ P. S. D. Due 6th June 1787.”

“ First. N^o 164.

“ Fort William, the First Day of December 1782, for Pounds Sterling 2,691 : 4 s. or Current Rupees 26,912, at 2s. and 365 Days Sight.

“ At Three hundred and sixty-five Days Sight of this our First of Exchange, (Second and Third of same Tenor and Date not being paid), pay or cause to be paid unto John Woodman, William Waller, and Francis Sykes, Esqrs. or Order, the Sum of Pounds Sterling Two thousand six hundred and ninety-one and Four Shillings, the same being for Current Rupees Twenty-six thousand nine hundred and twelve, (at the Exchange of Two Shillings Sterling per Current Rupee), in Satisfaction for One-fifth Part of the Principal of a Bond N^o 89, for Current Rupees One hundred and sixteen thousand, granted to the Honourable Warren Hastings Esquire, on account of the Remittance Loan at 4 per Cent. per Annum, and for the Interest arising on Four-fifths of the said Principal, from the First of December 1781 to the present Date, as per Advice from,

“ To the Honourable the Court of Directors for Affairs of the Honourable United Company of Merchants of England trading to the East Indies, London.

“ Examined,
Ja^s Miller,
Sub Accountant.

“ Honourable,
Your faithful humble Servants,
Warren Hastings,
John Macpherson,
John Stables.

“ Accepted, by Order of the said Court, to be paid in Four Years, from the 3d Day of June 1783, with Interest for the last Three Years, at the Rate of 5 per Cent. per Annum, to be paid annually, if demanded.

Tho^s Morton,
Secy.

“ Warrant made, 1 Year's Interest,
22d June 1785. £. 134 : 11 : 2
Warrant made, 2 Ditto,
9th June 1786. 134 : 11 : 2

Indorsed on the Back as follows:

“ W^m Waller,
Fr. Sykes,
John Woodman.

N^o 5, P. 251.

“ Received

" Received 22d June 1785, at the Treasury of the East India Company, the Sum of One hundred and thirty-four Pounds Eleven Shillings and Two-pence, the same being for One Year's Interest, due on the within mentioned Sum of Two thousand six hundred and ninety-one Pounds and Four Shillings, the 5th instant, I say received the same for Sir Francis Sykes, Bart. William Waller Esq. and Self.

£. 134 : 11 : 2

J^r John Woodman."

" Received 9th June 1786, the Sum of One hundred and thirty-four Pounds Eleven Shillings and Two pence, being the Second Year's Interest due on the within Bond the 5th instant, received the same for Sir Francis Sykes, Bart. William Waller Esquire, and Self.

£. 134 : 11 : 2

J^r John Woodman."

" Received the 8th June 1787, the Principal of the within Bill, and Interest thereon.

J^r John Woodman."

180.

" To the Committee of the Treasury.

" You may please to pay to Warren Hastings Esquire, or Order, Two thousand four hundred and twelve Pounds Sixteen Shillings, in full for a First Bill of Exchange, drawn from Fort William the 1st December 1785, } £. 2,412 : 16 : 0
Value Rupees 24,128, at 2 s. each; accepted here per Order of Court, }
and take a Discharge.

" Ex^d W. B.

" London, the 28th May 1787.
Thomas Woodruff



¹⁵³

⁴⁸²

" C. B. Due 28th May 1787."

" 28 May.

64.

" First. N^o 180.

" Fort William, the 1st of December 1785. For Pounds Sterling 2,412 l. 16 s. or Current Rupees 24,128, at 2 s. and 365 Days Sight.

" At Three hundred and sixty-five Days Sight of this our First of Exchange, (Second and Third of same Tenor and Date not being paid), pay, or cause to be paid, unto Warren Hastings Esquire, or Order, the Sum of Pounds Sterling Two thousand four hundred and twelve, and Sixteen Shillings, the same being for Current Rupees Twenty-four thousand one hundred and twenty-eight, (at the Exchange of Two Shillings Sterling per Current Rupee), in Satisfaction for the Interest, and in full Discharge of the Principal of a Bond N^o 89, for Current Rupees One hundred and sixteen thousand, granted to the Honourable Warren Hastings Esquire, on Account of the Remittance Loan, at Four per Cent. per Annum, as per Advice of this Date from,

" Honourable,

Your faithful humble Servants,

" To the Honourable the Court of Directors for Affairs of the Honourable United Company of Merchants of England trading to the East Indies, London.

" Accepted, by Order of the said Court, from the 25th May 1786.

John Macpherson,
R. Sloper,
John Stables,
Cha^r Stuart."

~~Tho^r Morton,
Secy.~~

" Examined,

J. Cheafs,
Sub Accompt. Gen."

Indorsed on the Back as follows :

" Warren Hastings,
John Woodman.

" Rec^d. for
Crofts & Co.
R. Barwick."

Then the Witness was directed to withdraw.

The

The Managers for the Commons stated, they should next produce a Letter written by the Court of Directors, disapproving of the Nature of the above Transaction.

Read, from Book 42, already delivered in, the following Extracts of a Letter from the Court of Directors, dated the 25th January, 1782, to the Governor General and Council at Fort William in Bengal, beginning at Page 58 of the same Book.

Par. 127. " We have received a Letter from our Governor General, dated the 29th of November 1780, relative to an unusual Tender and Advance of Money, made by him to the Council, as entered on your Consultation of the 26th of June, for the Purpose of indemnifying the Company from the extraordinary Charge which might be incurred by supplying the Detachment under the Command of Major Carnac, in the Invasion of the Maratta Dominions which lay beyond the District of Gohud, and thereby drawing the Attention of Mhadjee Scindia, to whom the Country appertained, from General Goddard, while the General was employed in the Reduction of Bassein, and in securing the Conquests made in the Guzerat Country: And also respecting the Sum of Three Lacs of Rupees, advanced by the Governor General for the Use of the Army under the Command of Chimnajee Boosla, without the Authority or Knowledge of the Council; with the Reasons for taking these extraordinary Steps under the Circumstances stated in his Letter.

Bengal.
Advances
made by the
Governor
General.

Approved in
Committee
Correspond-
ence, 11th
Jan. 1782.

Sent to Lords
North and
Hillsborough,
12th January
1782.

Par. 128. " In regard to the First of these Transactions, we readily conceive, that in the then State of the Council, the Governor General might be induced to temporary Secrecy, respecting the Members of the Board, not only because he might be apprehensive of Opposition to the proposed Application of the Money, but, perhaps, because Doubts might have arisen concerning the Propriety of appropriating it to the Company's Use on any Account; but it does not appear to us that there could be any real Necessity for delaying to communicate to us immediate Information of the Channel by which the Money came into his Possession, with a complete Illustration of the Cause or Causes of so extraordinary an Event.

Par. 129. Circumstanced as Affairs were at the Moment, it appears that the Governor General had the Measure much at Heart, and judged it absolutely necessary. The Means proposed of defraying the extra Expence were very extraordinary; and the Money, as we conceive, must have come into his Hands by an unusual Channel: and when more complete Information comes before us, we shall give our Sentiments fully upon the whole Transaction.

Par. 130. In regard to the Application of the Company's Money to the Army of Chimnajee Boosla, by the sole Authority of the Governor General, he knew that it was entirely at his own Risk, and he has taken the Responsibility upon himself; nothing but the most urgent Necessity could warrant the Measure; nor can any Thing short of full Proof of such Necessity, and of the Propriety and Utility of the extraordinary Step taken on this Occasion, entitle the Governor General to the Approbation of the Court of Directors; and therefore, as in the former Instance relative to the Sum advanced and paid into our Treasury, we must also for the present suspend our Judgment respecting the Money sent to the Berar Army, without approving it in the least Degree, or proceeding to censure our Governor General for this Transaction.

Signed, at the End of the Letter,

Tho ^r Parry,	L. Sullivan,
Tho ^r Cheap,	Will ^m James,
John Hunter,	Jn ^o Woodhouse,
John Smith,	John Roberts,
John Harriton,	John Manship,
L. Darell, jun ^r	W. G. Freeman,
Jn ^o Townson.	W. Bensley,

The Counsel for the Defendant desired to know at what Time the Letter of the 5th of August 1786, written by Mr. Larkins, was received by the East India Company.

Whereupon Mr. ROBERT HUDSON was called in, and examined as follows:

Q. At what Time was the Letter written by Mr. Larkins of the 5th of August 1786, received by the East India Company?

A. The Receipt at the India House was the 8th of March 1787.

The Managers for the Commons stated, they should next proceed to another supposed Discovery of a Sum of Money received by Mr. Hastings, contained in a Letter written, or supposed to be written, upon the 20th of January 1782.

Read, from Book 29, already delivered in, the following Letter from Mr. Hastings to the Court of Directors, dated, Patna, 20th January 1782, with an Indorsement :

“ The Deputy Chairman received this Letter from Major Scott, the 25th of July 1782, at Half past Twelve post Meridiem, at the East India House, which the Major said he presented by Order of the Governor General.

“ Patna, 20th January 1782.

“ To the Honourable the Secret Committee of the Honourable Court of Directors.

“ Honourable Sirs,

“ While the Nabob Vizier was at Chunar, an Offer of a very considerable Sum of Money was made to me, both on his Part, and on that of his Ministers, as a Present. I accepted it without Hesitation, and gladly, being entirely destitute both of Means and Credit, whether for your Service, or the Relief of my own Necessities. This Donation was not made in Specie, but in Bills, which have been in Part only, and tardily realized, being drawn on the House of Gopaul Dafs, who was at the Time a Prisoner in the Hands of Cheit Sing. The Remainder is in Course of Payment, and I make no Doubt of its being paid. What I have received has been laid out in the Publick Service. The rest shall be applied to the same Account. The nominal Sum is Ten Lacks of Rupees, of the Currency of Oude. As soon as the Whole is completed, I will transmit to you a faithful Account of it, resigning the Disposal of it entirely to the Pleasure of Your Honourable Court. If you shall adjudge the Deposit to me, I shall consider it as the most honourable Approbation and Reward of my Labours; and I wish to owe my Fortune to your Bounty.

“ I am now in the Fiftieth Year of my Life: I have passed Thirty-one Years in the Service of the Company, and the greatest Part of that Time in Employments of the highest Trust. My Conscience allows me boldly to claim the Merit of Zeal and Integrity; nor has Fortune been unpropitious to their Exertions. To these Qualities I bound my Pretensions. I shall not repine, if you shall deem otherwise of my Services; nor ought your Decision, however it may disappoint my Hope of a Retreat, adequate to the Consequence and Elevation of the Office which I now possess, to lessen my Gratitude for having been so long permitted to hold it; since it has, at least, enabled me to lay up a Provision, with which I can be contented in a more humble Station.

“ I have the Honour to be,

Honourable Sirs,

Your most faithful, and most
obedient Servant,

Warren Hastings.”

The Managers for the Commons desired to refer the House to the Evidence given by Major Scott, in Page 561 of the printed Minutes, proving that the above-mentioned Letter was received by the Nancy Packet; and stated, that they should next proceed to prove at what Time the Nancy left Bengal.

Whereupon Mr. Hudson was again called in.

Q. What is that you have in your Hand?

A. This is a List of Arrivals and Departures to and from the River Hughly, from the 25th of January to the 31st of March 1782. It appears from this List, that the Nancy Packet sailed from Bengal River on the 22d of February 1782.—This is an original Paper, signed by the Master Attendant.

The same was delivered in.

Read, the following Extract.

“ A List of Arrivals and Departures to and from the River Hughly, from the 25th of January to the 31st of March 1782.

“ Departures of Ships, Snows, &c. from the River Hughly, 1782.”

1782	Vessels Names.	Commanders Names.	Tonnage.	Where bound.	Lading.
Feb. 22d	H. C. Snow Nancy.	Captain Hofferma		Europe.	With Dispatches.

“ Fort William,
the 31st March 1782.

Signed at the End,

J. Sampson,
M^r Attendant.”

The

The Managers for the Commons stated, they should next proceed to shew, that Mr. Hastings made no Communication whatever to the Board at Bengal of the Receipt of the Ten Lacks of Rupees in Question.

Whereupon the Witness was asked :

Q. Whether you have examined the Books of the Supreme Council at Bengal in the Years 1781 and 1782 ?

A. Yes, I have ; the Consultations.

Q. Whether you have been able to find upon those Consultations any Communication of the Receipt of a Sum of Ten Lacks of Rupees by the Governor General from the Vizier ?

A. No ; there was none ; except when Major Palmer's Instructions were laid before the Board by Mr. Hastings ; there was then a Reference made to a Present.

Q. (*by a Lord.*) From what Time to what Time did you examine the Consultations ?

A. I have read them from 1782 to 1784.

Q. You are now asked, Whether you have read the Consultations in 1781 and 1782 ?

A. I have.

Q. Did you look them over with a View to see whether any Transaction of this Kind had been mentioned in them ?

A. I believe I read every Minute of Mr. Hastings within that Period.

Q. From what Part of 1781 to 1782 do you take upon you to be sure that no such Transaction was mentioned ?

A. From July 1781 to the latter End of the Year 1784.

Q. Through the Whole of that Period ?

A. Yes.

Q. You mentioned an Exception of a Letter from Major Palmer ?

A. I said, Instructions from Mr. Hastings to Mr. Palmer.

Q. Did they appear upon the Consultation ?

A. Yes.

Q. Of what Date ?

A. They are entered some Time in the Year 1783 ; I think in October.

(*Cross examined.*) Q. Whether there was any Vessel dispatched from Bengal in the intermediate Period between the 20th of January 1782, the Date of Mr. Hastings's Letter, and the 22d of February 1782, when the Nancy failed ?

A. The Ship Dartmouth was dispatched on the 19th of February 1782, but that Ship never arrived ; she was lost.

Q. I wish the Witness to state, whether a considerable Portion of Time does not usually intervene between the Time when Vessels are dispatched, and when they actually fail from Bengal ?

A. I look upon it, the Nancy received her Dispatches soon after the 14th of February.

Q. Do you know how long a Letter is, in the Course of the Post, coming from Patna to Bengal ?

A. I never heard.

Q. Have you any Document there, which will inform you how long that Letter might have arrived at Calcutta before the Time of the Dispatch of the Nancy ?

A. I have not.

Q. What Day was this Letter of Mr. Larkins, which bears Date 5th August 1786, communicated to the Committee of the House of Commons ?

A. I recollect that Major Scott came up Stairs to the Office, and asked me if such a Letter was arrived. I said, No. I went down, and found there was. He said, he should move for it in the House that Day ; and an Order came from the House, I think the next Day, for it.

Q. (*by a Lord.*) When was it in point of Fact that it was moved for ?

A. I believe it was moved for the next Day, the 9th of March.—I can prove that by the Court Books To-morrow.

Q. The 9th of March 1787 ?

A. I am not certain whether it was the 8th or 9th of March 1787.

The Managers for the Commons stated, that they had produced the Evidence submitted to the House to shew the Receipt of a very large Sum of Money acknowledged

by Mr. Hastings; and also for the further Purpose of shewing, that the other Two-thirds, which he said he had borrowed from somebody else, and lent to the Company, had never been borrowed by him, nor ever had been lent to the Company, but that in Fact it always did belong to the Company.

The Counsel for the Defendant observed, that the Managers for the Commons have stated the Evidence to be produced, for Two Purposes; One to falsify an Allegation in a former Letter of Mr. Hastings, and the other to establish the Receipt of a further Sum of Money.—That as far as it was intended to establish the Receipt of a Sum of Money not specified in the Charges, so far they conceived it not admissible in Evidence, and so far they should resist it.

The Managers for the Commons replied, That when they proceeded to charge Mr. Hastings with the Receipt of any Sum of Money, not charged in the Articles, it would be Time enough for the Counsel to make the Objection; but at present all that they offered to produce the Evidence in Question for, was to falsify the Account which Mr. Hastings gave upon the 29th of November 1780; and that for that Purpose they had a complete Right to produce it.

The Counsel for the Defendant said, That understanding it to be produced for that Purpose only, they admitted it to be read.

Read, from Book 20, already delivered in, the following Letter to the Honourable the Secret Committee of the Honourable Court of Directors, signed Warren Hastings, and dated Fort William, 22d May 1782.

“ To the Honourable the Secret Committee of the Honourable Court of Directors.

“ Honourable Sirs,

Fort William, 22d May 1782.

“ In a Letter which I have had the Honour to address you in Duplicate, and of which a Triplique accompanies this, dated 20 January 1782, I informed you that I had received the Offer of a Sum of Money from the Nabob Vizier and his Ministers, to the nominal Amount of 10 Lacks of Lucknow Siccas, and that Bills on the House of Gopaul Doss had been actually given me for the Amount, which I had accepted for the Use of the Honourable Company, and I promised to account with you for the same, as soon as it should be in my Power after the whole Sum had come into my Possession. This Promise I now perform; and deeming it consistent with the Spirit of it, I have added such other Sums as have been occasionally converted to the Company's Property through my Means, and in consequence of the like original Destination. Of the Second of these you have been already advised in a Letter, which I had the Honour to address the Honourable Court of Directors, dated 29th November 1780. Both this and the Third Article were paid immediately to the Treasury, by my Order to the Sub Treasurer to receive them on the Company's Account, but never passed through my Hands. The Three Sums for which Bonds were granted were in like Manner paid to the Company's Treasury without passing through my Hands, but their Approbation was not specified.

“ The Sum of 50,000 Current Rupees was received while I was on my Journey to Benaris, and applied as expressed in the Account.

“ As to the Manner in which these Sums have been expended, the Reference which I have made of it in the accompanying Account to the several Accounts in which they are credited, renders any other Specification of it unnecessary; besides that those Accounts either have or will have received a much stronger Authentication than any that I could give to mine.

“ Why these Sums were taken by me; why they were, except the Second, quietly transferred to the Company's Use; why Bonds were taken for the First, and not for the Rest, might, were this Matter to be exposed to the View of the Publick, furnish a Variety of Conjectures to which it would be of little Use to reply. Were your Honourable Court to question me upon these Points, I would answer, that the Sums were taken for the Company's Benefit, at Times in which the Company very much needed them; that I either chose to conceal the First Receipts from publick Curiosity, by receiving Bonds for the Amount, or possibly acted without any studied Design which my Memory could at this Distance of Time verify; and that I did not think it worth my Care to observe the same Means with the Rest. I trust, Honourable Sirs, to your Breasts for a candid Interpretation of my Actions, and assume the Freedom to add, that I think myself on such a Subject, on such an Occasion, entitled to it.

“ I have the Honour to be,

Honourable Sirs,

Your most faithful, most obedient,

and most humble Servant,

Warren Hastings.”

" An ACCOUNT of Sums received on the Account of the Honourable Company, by the Governor General, or paid to their Treasury by his Order, and applied to their Service.

" 1780.

" October. The following Sums were paid into the Treasury, and Bonds granted for the same, in the Name of the Governor General, in whose Possession the Bonds remain, with a Declaration upon each, indorsed and signed by him, that he has no Claim on the Company for the Amount either of Principal or Interest, no Part of the latter having been received :

One Bond, dated the 1st October 1780, N ^o 1539,	1,16,000	0	0
One — 2d — — N ^o 1540,	1,16,000	0	0
One — 23d November, N ^o 1354,	1,74,000	0	0
	<hr/>	4,06,000	0 0

" November. Paid into the Treasury, and carried to the Governor General's Credit in the 12th Page of the Deposits Journal of 1780 81, Mohrs of Sorts which had been coined in the Mint, and produced, as per 358 and 359 Pages of the Company's General Journal of 1780-81, Gokl Mohrs 12,861 12 11, or Calcutta Siccas

—	2,05,788	14	9
Batta 16 per Cent. —	32,926	3	6
	<hr/>	2,38,715	2 3

" 1781.

" 30 April. Paid into the Treasury, and credited in the 637th Page of the Company's General Journal, as Money received from the Governor General on Account of Durbar Charges

—	Sicca Rup ^y	2,00,000	0 0
Batta 16 per Cent. —		32,000	0 0
	<hr/>	2,32,000	0 0

" August. Received in Cash, and employed in defraying my public Disbursements, and credited in the Governor General's Account of Durbar Charges for April 1782

58,000 0 0

" Produce of the Sum mentioned in the Governor General's Letter to the Honourable Secret Committee, dated 20th January 1782, and credited in the Governor General's Account of Durbar Charges for April 1782

10,30,275 1 3

Current Rupees — 19,64,990 3 6

" Fort William,
22d May 1782.

(Errors excepted.)

Warren Hastings."

" I William Larkins do make Oath, and say, That the Letter and Account to which this Affidavit is affixed, were written by me, at the Request of the Honourable Warren Hastings Esquire, on the 22d May 1782, from rough Drafts written by himself in my Presence: That the Cover of the Letter was sealed up by him in my Presence, and was then intended to have been transmitted to England by the Lively, when that Vessel was first ordered for Dispatch; and that it has remained closed until this Day, when it was opened, for the express Purpose of being accompanied by this Affidavit.

" Calcutta,
16th December 1782.

So help me God.

William Larkins."

" Sworn this 16th Day of December 1782, before me,
J. Hyde."

Read also, from the same Book, a Paper, indorsed, " Fort William, 16th December 1782. Letter from Warren Hastings Esquire, to the Secret Committee. Received per Lively, 24th May 1783," as follows :

" To the Honourable the Secret Committee of the Honourable Court of Directors.

" Honourable Sirs,

Fort William, 16th December 1782.

" The Dispatch of the Lively having been protracted, by various Causes, from Time to Time, the accompanying Address, which was originally designed and prepared for that Dispatch (no other Conveyance since occurring), has of Course been thus long detained. The Delay is of

no public Consequence ; but it has produced a Situation which, with Respect to myself, I regard as unfortunate ; because it exposes me to the meanest Imputation, from the Occasion which the late Parliamentary Inquiries have since furnished, but which were unknown when my Letter was written, and written in the necessary Consequence of a Promise, made to that Effect in a former Letter to your Honourable Committee, dated 20th January last. However, to preclude the Possibility of such Reflections from affecting me, I have desired Mr. Larkins, who was privy to the whole Transactions, to affix to the Letter his Affidavit, of the Date in which it was written. I own I feel most sensibly the Mortification of being reduced to the Necessity of using such Precautions to guard my Reputation from Dishonour. If I had, at any Time, possessed that Degree of Confidence from my immediate Employers, which they never withheld from the meanest of my Predecessors, I should have disdained to use these Attentions. How I have drawn on me a different Treatment, I know not ; it is sufficient that I have not merited it. And in the Course of a Service of Thirty-two Years, and Ten of these employed in maintaining the Powers, and discharging the Duties of the First Office of the British Government in India, that Honourable Court ought to know whether I possess the Integrity and Honour which are the first Requisites of such a Station. If I wanted these, they have afforded me but too powerful Incentives to suppress the Information which I now convey to them through you ; and to appropriate to my own Use the Sums which I have already passed to their Credit, by the unworthy, and, pardon me if I add, dangerous Reflections, which they have passed upon me, for the first Communication of this Kind ; and your own Experience will suggest to you, that there are Persons who would profit by such a Warning.

“ Upon the Whole of these Transactions, which to you, who are accustomed to view Business in an official and regular Light, may appear unprecedented, if not improper, I have but a few short Remarks to suggest to your Consideration.

“ If I appear in any unfavourable Light by these Transactions, I resign the common and legal Security of those who commit Crimes or Errors. I am ready to answer every particular Question that may be put against myself, upon Honour, or upon Oath.

“ The Sources from which these Reliefs to the publick Service have come, would never have yielded them to the Company publicly ; and the Exigencies of your Service (Exigencies created by the Exposition of your Affairs, and Faction in your Councils) required those Supplies.

“ I could have concealed them, had I had a wrong Motive, from yours and the publick Eye for ever ; and I know that the Difficulties to which a Spirit of Injustice may subject me for my Candour and Avowal, are greater than any possible Inconvenience that could have attended the Concealment, except the Dissatisfaction of my own Mind. These Difficulties are but a few of those which I have suffered in your Service. The Applause of my own Breast is my surest Reward, and was the Support of my Mind in meeting them. Your Applause, and that of my Country, are my next Wish in Life.

“ I have the Honour to be,

Honourable Sirs,

Your most faithful, most obedient,
and most humble Servant,
Warren Hastings.”

Then the Witness produced Book 20, intituled, “ Bengal Letters, received 10th April 1782 to 13th April 1783.”

Read, a Letter to the Honourable the Secret Committee of the Honourable Court of Directors, signed Warren Hastings, and dated Fort William, 22d May 1782.

Read, the following Extract from Mr. Hastings's Manuscript Introductory Defence, delivered at the Bar of the House of Commons, beginning at Page 365 of the same.

“ I have already fully explained the Transaction of the Two Lacks of Rupees given by Sada-mund ; the Sum of 4,06,000 Rupees, for which Bonds were given, was paid directly into the Company's Treasury for their Use, and never passed through my Hands ; and in a few Months after the Receipt of it, when I was about to leave the Presidency to proceed up the Country on a Service liable to personal Danger, I endorsed the Bonds payable to the Company, and left them in the Hands of Mr. Larkins, our Accountant General, with express Directions to deliver them up. I hope I need not detain this Honourable House, by obviating the Cavil that an Indorsement on a Bond is not good in Common Law, though it is in Equity. I flatter myself it will be evident that I had no corrupt Motive in taking this Money, that it was bona fide for the Company's Use, that they and not I had the Benefit of it, and that the Alienation of my Right by the Indorsement, was in fact as effectual as a formal Transfer.”

To prove that the Service of personal Danger, alluded to in the above Extract, was the Expedition Mr. Hastings made to Benares,

Read,

Read, the following Extract from the printed Minutes of Evidence, beginning at Page 109 of the same :

“ I left Calcutta on the 17th of July.”

Read, the following Extract from Mr. Hastings's Manuscript Introductory Defence, delivered at the Bar of the House of Commons, beginning at Page 369 of the same.

“ No Member of this Honourable House suspects me, I hope, of the Meanness and Guilt of presenting false Accounts. I have never benefited by contingent Charges, or by retaining the Money of the Public in my own Possession, for my private Emolument.”

Read, further Extract from the same Defence, beginning at Page 377 of the same.

“ Whatever Imperfections there may be in my Character—and I have many—yet no Man who knows me, will suppose me capable of asserting an Untruth, or, which is in fact the same, of presenting a false Account to this Honourable House, or to my old and indulgent Masters, the Proprietors of East India Stock.”

The Managers for the Commons stated, They should next produce the Bonds themselves, with the Indorsements upon them,—Mr. Hastings having stated that the Indorsements were made in the Month of July 1781.

Then Mr. Robert Hudson was again called in.

Q. What are those Papers you have in your Hands ?

A. Three original Bengal Bonds, delivered up in Council by Mr. Hastings on the 17th of January 1785, and cancelled in the Presence of the Board, with a Deposition from the Accountant General annexed.

The Counsel for the Defendant desired that the Deposition of Mr. Larkins, being a Part of the above Transmission, might be read.

The same was accordingly read, as follows.

§ (“ Fort William, } William Larkins of Calcutta, at Fort William in Bengal, Esquire, Accountant General to the Governor General in Council for the Affairs of the
“ in Bengal. } United Company of Merchants of England trading to the East Indies, maketh
“ Oath and faith, That on or about the Twenty-ninth Day of May, in the Year of our Lord One
“ thousand seven hundred and eighty-two, he, this Deponent, was present with, and at the House
“ of Warren Hastings Esquire, late Governor General of Bengal, at Allypore, near Calcutta afore-
“ said, when he, this Deponent, produced and delivered to the said Warren Hastings Three several Paper
“ Writings, or accountable Receipts, on Account of the said United Company of Merchants of
“ England trading to the East Indies, commonly called “ Company's Bengal Bonds ;” that is to say,
“ One, N^o 1354, for the Sum of Current Rupees One hundred and seventy-four thousand, dated in
“ Fort William, the Twenty-third Day of November One thousand seven hundred and eighty, under
“ the Seal of the said United Company, and signed by the said Warren Hastings in his Capacity of
“ Governor General as aforesaid, and by Edward Wheler Esquire, then One of the Members of the
“ Council at Fort William aforesaid, and made payable to the Honourable Warren Hastings Esquire ;
“ One other, N^o 1539, for the Sum of Current Rupees One hundred and sixteen thousand, dated in
“ Fort William, the First Day of October One thousand seven hundred and eighty, also under the Seal
“ of the said United Company, and signed by the said Warren Hastings in his said Capacity of Governor
“ General as aforesaid, and by the said Edward Wheler as One of the Members of the said Council,
“ and made payable in like Manner to the Honourable Warren Hastings Esquire ; and one other,
“ N^o 1540, for a further Sum of Current Rupees One hundred and sixteen thousand, dated in Fort
“ William, the Second Day of October One thousand seven hundred and eighty, also under the
“ Seal of the said United Company, and signed by the said Warren Hastings in his said Ca-
“ pacity of Governor General as aforesaid, and by the said Edward Wheler as One of the
“ Members of the said Council, and made payable in like Manner to the Honourable Warren
“ Hastings Esquire : And this Deponent further saith, That he, this Deponent, was, at the
“ Time before mentioned, present, and did see the said Warren Hastings write and indorse upon
“ the Back of each and every of the said Paper Writings, or accountable Receipts, commonly
“ called “ Company's Bengal Bonds,” the Words and Figures following ; that is to say, “ I
“ declare that I have no Claim on the Honourable Company for the Amount of this Bond,
“ neither Principal nor Interest. Fort William, 29th May 1782. Warren Hastings.” And
“ the said Three Paper Writings, or accountable Receipts, being now shewn to this Deponent, he,
“ this Deponent, saith, That the said Writings or Indorsements upon the Back of the said Three
“ several Paper Writings, or accountable Receipts, and the Name or Names “ Warren Hastings,”
“ set and subscribed to each and every of the said several Writings or Indorsements, is and are of the
“ proper

" proper Hand Writing and subscribing of the said Warren Hastings, and are, as this Deponent verily believes, the same Writings and Indorsements, so as aforesaid written, indorsed and subscribed by the said Warren Hastings in the Presence of this Deponent, and were actually written and subscribed by the said Warren Hastings on the Day on which they respectively bear Date. "
" W^m Larkins."

" Sworn in the Council Chamber, at Fort William

" in Bengal, this 10th Day of March 1789,

" Before

• " Cornwallis.")

§

The Counsel for the Defendant desired to know, Whether there was not a Copy of a Letter sent home, with this Affidavit from Mr. Larkins, to the Board, in which he states an Application from England, desiring him to get these Bonds sent home; and desired the same might be read.

The Managers for the Commons stated, That they had no Objection.

Read, the Papers produced by the Witnesses, as follows.

Current Ru-
pees 1,16,000.

(L. S.)

" Borrowed and received, on Account of the Honourable United Company of Merchants of England trading to the East Indies, of the Honourable Warren Hastings Esquire, the Sum of Current Rupees One hundred and sixteen thousand, which we promise to pay at the Expiration of Twelve Calendar Months, with Interest at the Rate of Eight per Cent. per Annum, from the Date thereof, with this Proviso, that Three Months Notice be first given at the Treasury demanding Payment thereof; and we likewise agree, not to oblige the Principal to be received back, until Six Months Notice has been published of our Intentions to discharge it. Dated in Fort William, the First Day of October 1780.

" Witness our Hands, and Seal of the said Company,

" En^d. C. Croftes.

~~Warren Hastings,~~
~~Edw^d Wheeler.~~

" Cancelled in the Presence of the Honourable Board, 17th January 1785.
W. Bruen, Secretary."

" I declare that I have no Claim on the Honourable Company for the Amount of this Bond, neither Principal nor Interest.

" Fort William, 29th May 1782.

Warren Hastings."

Indorsed on the Back as follows :

" N^o 1.

" Interest Note in Favour of the Honourable the Governor General, for Current Rupees 1,16,000.

" Cancelled in Council 17th January.

" To be kept in Consultation 17th January, but not entered."

Current Ru-
pees 1,16,000.

(L. S.)

" Borrowed and received, on Account of the Honourable United Company of Merchants of England trading to the East Indies, of the Honourable Warren Hastings Esquire, the Sum of Current Rupees One hundred and sixteen thousand, which we promise to pay at the Expiration of Twelve Calendar Months, with Interest, at the Rate of Eight per Cent. per Annum, from the Date hereof, with this Proviso, that Three Months Notice be first given at the Treasury, demanding Payment thereof; and we likewise agree not to oblige the Principal to be received back until Six Months Notice has been published of our Intentions to discharge it. Dated in Fort William, the Second Day of October 1780.

" Witness our Hands, and Seal of the said Company,

" En^d. C. Croftes,
S. T."

~~Warren Hastings,~~
~~Edw^d Wheeler.~~

" Cancelled in the Presence of the Honourable Board, 17th January 1785.
W. Bruen, Secretary."

" I declare that I have no Claim on the Honourable Company for the Amount of this Bond, neither Principal nor Interest. Fort William, 29th May 1782.

" Warren Hastings."

Indorsed on the Back as follows :

" No. 2.

" Interest Note in Favour of the Honourable the Governor General, for Current Rupees 1,16,000.

" Cancelled in Council 17th January.

" To be kept in Consultation 17th January, but not entered."

(L. S.) " Borrowed and received, on Account of the Honourable United Company of Merchants of England trading to the East Indies, of the Honourable Warren Hastings Esquire, the Sum of Current Rupees One hundred seventy-four thousand, which we promise to pay at the Expiration of Twelve Calendar Months, with Interest at the Rate of Eight per Cent. per Annum, from the Date hereof, with this Proviso, that Three Months Notice be first given at the Treasury demanding Payment thereof; and we likewise agree not to oblige the Principal to be received back, until Six Months Notice has been published of our Intentions to discharge it. Dated in Fort William, the Twenty-third Day of November 1780.

Current Rupees 1,74,000

" En^d C. Croftes.
" Witnesses our Hands, and Seal of the said Company,
~~Warren Hastings,~~
~~Edw^d Wheeler.~~

" Cancelled in the Presence of the Honourable Board, 17th January 1785.

" W. Bruen,
Secretary."

" I declare that I have no Claim on the Honourable Company for the Amount of this Bond, neither Principal nor Interest.

" Fort William, 29th May 1782.

" Warren Hastings."

Indorsed on the Back as follows :

" N^o 3.

" Interest Note in Favour of the Honourable the Governor General, for Current Rupees 1,74,000.

" Cancelled in Council 17th January.

" To be kept in Consultation 17th January, but not entered."

Then the Witnesses produced Book 226.

Read, the following Extract of a Consultation of the 4th of March 1789, beginning at Page 592 of the same Book.

§ (" Fort William, the 4th March 1789.

" At a Council; Present,
" Earl Cornwallis, K. B. Governor General, President;
" The Honourable Charles Stuart.
" John Shore Esquire, indisposed.

Pub. Dept.
Wednesday.

" Read, a Letter from Mr. Larkins, acting Attorney for Warren Hastings Esq.

" My Lord,

" The Three Bonds, N^o 1354, 1539, and 1540, alluded to in 9 and 10 Paragraphs of the Letter which, at the Requisition of Mr. Hastings, was addressed by me to the Chairman for the Time being of the Honourable the Court of Directors, under Date of 5th August 1786, entered as N^o 49 of the Appendix to the Second Article of the Charges preferred against Mr. Hastings by the Honourable the House of Commons, having been mislaid, till lately I was prevented from preferring the Solicitation recommended by Major Scott to be made in Behalf of Mr. Hastings, that an authentic Copy of the Declaration, made in these Bonds by Mr. Hastings, might be transmitted to England, to be adduced, if necessary, in Corroboration of the Testimony which I have already given upon this Transaction.

" As the best legal Evidence is always required upon such Occasions, I could wish, my Lord, that the original Bonds may be transmitted to the Honourable Court of Directors, a Number of the Northumberland's Packet, and that Mr. Hay, the Secretary to the Government, and Mr. John White, the Sub Secretary in the public Department, who are well acquainted with Mr. Hastings's Hand-writing, may be allowed to make Two Copies of each of the Bonds, and the Declarations made thereon; that One of these may be transmitted to England, to supply the Place of the Originals, in case any Accident should prevent these from being received, and the other to remain in Charge of the Sub Treasurer, to answer any Reference that may be necessary in India.

" I have the Honour to be, &c.

(Signed)

" W^m Larkins,
" Act^g Att^y of W. Hastings Esq."

" Fort William,
" the 25th February 1789.

" Agreed to, and ordered according to the Requests made by Mr. Larkins.")

§

The Managers for the Commons stated, That they should next produce a Letter of the 21st of February 1784, containing a Declaration from Mr. Hastings with respect to another Sum of Money which he had received from a Person of the Name of Nobkiffin.

Read, the following Extract from Book 113, already delivered in.

[" Letter from the Governor General to the Honourable Court of Directors, and Inclosures.

" To the Honourable Court of Directors of the Honourable United East India Company.

" Honourable Sirs,

On the River Ganges, 21st February 1784.

" Having had Occasion to disburse from my own Cash many Sums, for Services which, though required to enable me to execute the Duties of my Station, I have hitherto omitted to enter in my public Accounts, and my own Fortune being unequal to so heavy a Charge, I have resolved to reimburse myself in a Mode the most suitable to the Situation of your Affairs, by charging the same on my Durbar Accounts of the present Year, and crediting them by a Sum privately received, and appropriated to your Service in the same Manner with other Sums received on Account of the Honourable Company, and already carried to their Account.

" The Particulars of these Disbursements are contained in the inclosed Accounts, N^o 1, 2, 3, and 4, of which N^o 5 is the Abstract.

" I shall subjoin a brief Explanation of each.

" The Sum of the Account N^o 1 is the Difference between the Allowance of 300 Rupees a Month, which was the customary Pay of the Governor's Military Secretary, and that which I allowed to Lieutenant Colonel Ironside during the Time that he acted in that Capacity, on account of his superior Rank. It was referred to your Honourable Court, in One of the General Letters of the Year 1773 or 4; but I presume that it was overlooked, in the Pressure of other more important Matters which at that Time occupied your Attention.

" N^o 2 and 3 are explained in the Accounts themselves.

" N^o 4 consists of Three several Kinds of Charges, which I confess to have been unauthorized, but which I humbly conceive neither to be of a private Nature, nor unworthy Subjects of the Bounty of a great and rising State.—The First is inconsiderable, consisting chiefly in the Subsistence of the Pundits, who were assembled in Calcutta, and employed during Two Years in compiling the Code of Hindoo Laws for your Use. The Sum allotted to them was, as I recollect, One Rupee per Diem; a larger Recompense was offered, but refused; nor would they receive this, but for their daily Support: They had indeed the Promise of some public Endowments for their Colleges, which yet remain unperformed.—The Second is the Amount of sundry Monthly Salaries paid to some of the most learned Professors of the Mahomedan Law, for translating, from the Arabic into the Persian Tongue, a Compendium of their Law, called the Hedaya, which is held in high Estimation, and Part of a more voluminous Work, which I could not prosecute. Your Honourable Court is in Possession of a Part of the English Version of Hedaya, made by Mr. James Anderson, and a subsequent Part of the same Work has been lately translated by Mr. Hamilton. These Gentlemen are both engaged in the Completion of it, and are both eminently qualified for it. It would exceed the due Bounds of this Letter, to expatiate on the Utility of this Work; yet I may be allowed to vindicate the Expence of it by One summary Argument, which is, that while the Mahomedan Law is allowed to be the Standard of the Criminal Jurisprudence of your Dominion, under the Controul and Inspection of your English Servants, it seems indispensably necessary that the Judges of the Courts should have a more familiar Guide for their Proceedings than the Books of the Arabic Tongue, of which few have Opportunities of obtaining a competent Knowledge; and as necessary that your Servants should possess the Means of consulting the Principles on which those Judgments are founded, which, in their ultimate Resort, and in extraordinary Cases, may fall within their immediate Cognizance, and of the Laws of which they are the Protectors.—The Third Charge is that of an Academy, instituted for the Study of the different Branches of the Sciences taught in the Mahomedan Schools. After a Trial of about Two Years, finding that it was likely to answer the End of its Institution, I recommended to the Board, and obtained their Consent, to pass the subsequent Expence of the Establishment to the Account of the Company, and to erect a Building for the Purpose at my own immediate Cost, but for a Company's Interest Note granted me for the Reimbursement of it. It is almost the only complete Establishment of the Kind now existing in India, although they were once in universal Use, and the decayed Remains of these Schools are yet to be seen in every capital Town or City of Hindostan and Decan. It has contributed to extend the Credit of the English Name, and to soften the Prejudices excited by the rapid Growth of the British Dominion; and it is a Seminary of the most useful Members of Society.

" I humbly submit the Propriety of carrying these Expences to your Account, by the Consideration, that it was not possible for me to have been influenced, in incurring them, by any Purpose of my own Interest. Something, perhaps, may be attributed to the Impulse of Pride, in the Share which I might hope to derive of a public Benefaction; but certainly not to Vanity or Ostentation, since I believe it to be generally conceived, that the whole Expence, of which the greatest Part is yet my own, has been already defrayed from the Treasury of the Company.

" I will candidly confess, that when I first engaged, both in this and the preceding Expence, I had no Intention of carrying it to the Account of the Company. Improvident for myself, zealous for the Honour of my Country, and the Credit and Interest of my Employers, I seldom permitted my Prospects of Futurity to enter into the View of my private Concerns. In the undisturbed Exercise of the Faculties which appertained to the active Season of my Life, I confined all my Regards to my public Character, and reckoned on a Fund of Years to come for its Duration. The Infirmities of Life have since succeeded, and I have lately received more than One severe Warning to retire from a Scene to which my bodily Strength is no longer equal, and threatens me with a corresponding Decay in whatever Powers of Mind I once possessed, to discharge the laborious Duties and hard Vicissitudes of my Station. With this Change in my Condition, I am compelled to depart from that liberal Plan which I originally adopted, and to claim from your Justice, for you have forbid me to appeal to your Generosity, the Discharge of a Debt which I can, with the most scrupulous Integrity, aver to be justly my Due, and which I cannot sustain.

" If it should be objected, that the Allowance of these Demands would furnish a Precedent for others of the like Kind, I have to remark, that in their whole Amount they are but the Aggregate of a contingent Account of Twelve Years; and if it were to become the Practice of those who have passed their Prime of Life in your Service, and filled, as I have filled it, the First Office of your Dominion, to glean from their past Accounts all the Articles of Expence which their Inaccuracy or Indifference hath overlooked, your Interests would suffer infinitely less by the Precedent, than by a single Example of a Life spent in the Accumulation of Crores for your Benefit, and doomed in its Close to suffer the Extremity of private Want, and to sink in Obscurity.

" I have thought it proper to complete the present Subject, by the Addition of a Charge which I intended to have submitted regularly to the Board; but which, if divided at this Time from the others, might have admitted an unfair Construction. It is in the Account N^o 6, and consists of Charges incurred for Boats and Budgerows provided by me, for my own Use, on such public Occasions as require my Departure from the Presidency on extraordinary Services.

" My Predecessors have always had an Establishment of this Kind provided for them, and my Successor will have a Provision devolve to him, superior in Convenience and in Elegance to any that I have yet seen, and furnished with a Cost which would not be credited by those who have seen the Subjects of it.

" I have the Honour to be, with the greatest Respect,

Honourable Sirs,

Your most obedient and
most faithful Servant,
Warren Hastings."]

" D U P L I C A T E .

§ (" An Account of Sums disbursed by the Governor General for the Hire of Houses occupied by his Aides de Camp, from 1st December 1775 to January 1784.

" 1778.

" Aug. 1. To Amount charged for by the Executors of John Stewart, Amount of the Rent of the House occupied by the Governor General's Aides de Camp, from the 1st December 1775 to the 1st August 1778, being 32 Months, at 600 Arg^s per Month 19,200

" Interest on 1,800 Arg^s for 29 Months, at 10 per Cent. is — — 485

" Do. on 1,800 for 26 Months, at 10 per Cent. is 390

" Do. on 1,800 for 23 do. — — 345

" Do. on 1,800 for 20 do. — — 300

" Do. on 1,800 for 17 do. — — 255

" Do. on 1,800 for 14 do. — — 210

" Do. on 1,800 for 11 do. — — 165

" Do. on 1,800 for 8 do. — — 120

" Do. on 1,800 for 5 do. — — 75

" Do. on 1,800 for 2 do. — — 30 2,325 0 0

" Batta 8 per Cent.

21,525 0 0

1,722 0 0

23,247 0 0

" Interest from 1st August to 23d September 1788

343 1 8

23,590 1 8

		Brought over,	23,590	1	8
" 1782.					
April.	Paid Mr. Alexander for Mr. Scott for the Rent of the House occupied by the Governor General's Aid de Camp, from 28th May to 1st July 1771, is 1 M ^s and 4 Days, at 260 S ^s per Month				
	" Affessment for June 1781	—	—	294	10 6
				11	4 0
				305	14 6
	" Do. Mr. Fairfax Moresby for the Rent of the House occupied by the do. for May and June, at 350 S ^s per Month,			700	0 0
	" Batta 16 per Cent.			112	0 0
					812 0 0
" Dec.	Do. Messrs. Alexander and Colvin, Attornies to Mr. J. P. Scott, as per Bill for do. for January, February, March, and April, 1782, at 260 Sa ^s per Month				
	" Tax for 4 Months	—	—	1,040	0 0
				45	0 0
	" Batta 16 per Cent.			1,085	0 0
				173	9 6
				1,258	9 6
	" Do. Mr. Fairfax Moresby, as per Bill for do. for July, August, September, and October, 1782, at 350 Sa ^s per Month,			1,624	0 0
		S ^s R ^s 1,400 or			2,882 9 6
" 1783.					
June.	Do. Mr. F. Moresby, as per Bill for do. from 1st November to 31st March 1783, is 5 Months, at 350 S ^s per Month				
		—	—	1,750	0 0
	" Batta 16 per Cent.			280	0 0
					2,030 0 0
	" Due to Mr. Fairfax Moresby for do. from 1st April to 31st December 1783, is 9 Months, at 350 S ^s per Month,				
		—	—	3,150	0 0 or 3,654 0 0
					Current Rupees 33,323 8 0
" Fort William,		(Errors excepted)	W ^m Larkin,		
the 31st December 1783.			Att ^y for the		
			Honble. Warren Hastings."		

" D U P L I C A T E .

" An Account of Sums disbursed by the Governor General for the Diet and other Charges of Pundits employed in compiling the Code of Hindoo Laws, for the Salaries of Persons employed in translating Books of the Mahommedan Law, and other Charges incidental to the same; and for the Wages and other Expences of the Madrassa or Mahommedan Academy.

" 1774.					
July.	Paid the undermentioned People for translating the Futwah Alemgereee, viz.				
	" Golaum Yohya for June 1774	300	0	0	
	" Meer Mahomed Hossen	250	0	0	
	" Fauj o'Din	200	0	0	
	" Sherreul Oola	150	0	0	
				900	0 0
	" For transcribing fair :				
	" Zewad Ullah	75	0	0	
	" Abdullah	75	0	0	
				150	0 0
				1,050	0 0
	" Batta 8 per Cent.			84	0 0
					1,134 0 0

" 1774.					
" Aug.	Do.	do. for July 1774	—	—	1,134 0 0
" Sept.	Do.	do. August	—	—	1,134 0 0
" Oct.	Do.	do. September	—	—	1,134 0 0
" Nov.	Do.	do. October	—	1,050 0 0	
	" Mahomed Keamdy, Persian Translator, his Wages for 3 Months			150 0 0	
			Ar	1,200 0 0	1,296 0 0
" Dec.	Paid Persian Translators their Wages for November			1,134 0 0	
	" Keamdy Persian Translator's Wages from 10th November to 30th instant, is 20 Days			35 15 6	1,169 15 0
" 1775.					
" Jan.	Do.	the Persian Translators their Wages for December 1774	—	—	1,188 0 0
" Feb.	Do.	do. — for January 1775	—	—	1,188 0 0
" March.	Do.	do. — for February	—	—	1,188 0 0
" April.	Do.	do. — for March	—	—	1,169 3 9
" May.	Do.	do. — for April	—	—	1,134 0 0
" June.	Do.	do. — for May	—	—	1,134 0 0
" July.	Do.	do. — for June	—	—	1,134 0 0
	" Do. the Bengal Translators, for May, June, and July			—	356 6 6
" Aug.	Do.	the Persian Translators their Wages for July 1775	1,134 0 0		
	" Do. Mr. Halhed for Diet to the Pundits employed in translating the Hindoo Code for July 1775			118 12 9	
	" Do. Moonshy's Allowance for July and August			64 12 9	
					1,317 9 6
" Sept.	Do.	the Persian Translators their Wages for August 1775	—	—	1,134 0 0
" Oct.	Do.	do. for September 1775	—	1,134 0 0	
	" Do. Mr. Halhed for Diet to the Pundits employed in translating the Hindoo Code for September 1775			118 12 9	
					1,252 12 9
" Nov.	Do.	the Persian Translators for October and November 1775	—	2,268 0 0	
	" Do. Mr. Halhed for Pundits, for October			118 12 9	
					2,386 12 9
" Dec.	Do.	do. for November	—	—	118 12 9
" 1776.					
" Jan.	Do.	do. for December	—	—	118 12 9
	" Do. the Persian Translators their Wages for December and January 1776			—	2,268 0 0
" Feb.	Do.	the Persian Translators for February	—	1,134 0 0	
	" Do. Mr. Halhed for Pundits for January			118 12 9	
					1,252 12 9
" March.	Do.	do. for February	—	—	118 12 9
" April.	Do.	do. for March	—	—	118 12 9
	" Do. the Persian Translators Wages for March and April			—	2,268 0 0
" May.	Do.	Mr. Halhed for Pundits for April	—	118 12 9	
	" Do. the Persian Translators for May			1,134 0 0	
					1,252 12 9

" 1776.			
" June.	Paid Mr. Halhed for Pundits for May	— —	118 12 9
" July,	Do. do. for June	— 118 12 9	
" "	Do. the Persian Translators for June and July	— 2,268 0 0	
		<hr/>	2,386 12 9
" Aug.	Do. do. for August	— 1,800 5 9	
" "	Do. Mr. Halhed for Pundits for July	— 118 12 9	
		<hr/>	1,919 2 6
" Sept.	Do. do. for August and September	— 237 9 6	
" "	Do. the Persian Translators for September	— 1,134 0 0	
		<hr/>	1,371 9 6
" Oct.	Do. do. for October	— —	1,134 0 0
" Nov.	Do. the Persian Translators their Wages for this Month	1,134 0 0	
" "	Mustapha Alley Cushmanies 200	— 216 0 0	
" "	Mr. Halhed for Pundits for this Month	— 118 12 9	
		<hr/>	1,468 12 9
" "	For binding Books and Papers	— —	41 9 3
" Dec.	" The Persian Translators their Wages for December	1,134 0 0	
" "	Mustapha Alley Cushmanies	— 216 0 0	
" "	Mr. Halhed for Pundits for November and December	— 237 9 6	
" "	For Two Quires of Cosmere Paper for Books	— 13 8 0	
		<hr/>	1,611 1 6
" 1777.			
" Jan.	Paid the Persian Translators their Wages for this Month	1,134 0 0	
" "	Mustapha Alley Cushmanies	— 216 0 0	
		<hr/>	1,350 0 0
" Feb.	" The Persian Translators their Wages for this Month	1,134 0 0	
" "	Mustapha Alley Cushmanies	— 216 0 0	
" "	Mr. Halhed for Pundits for January	— 118 12 9	
		<hr/>	1,468 12 9
" "	For 1 Book — Ar ^s 150 8 0		
" "	" 1 do. — — 42 0 0		
" "	" 1 do. — — 9 4 0		
		<hr/>	201 12 0 or 217 14 3
" March.	The Persian Translators their Wages for this Month	1,134 0 0	
" "	Mustapha Alley Cushmanies	— 216 0 0	
" "	Mr. Halhed for Pundits Salary for February and March	— 237 9 6	
" "	For making Books — —	— 10 12 9	
		<hr/>	1,598 6 0
" April.	The Persian Translators their Wages for this Month	1,134 0 0	
" "	Mustapha Alley Cushmanies	— 216 0 0	
" "	Mr. Halhed for Pundits Salary for this Month	— 118 12 9	
		<hr/>	1,468 12 9
" May.	The Persian Translators their Wages for this Month	1,134 0 0	
" "	Mustapha Alley Cushmanies	— 216 0 0	
		<hr/>	1,350 0 0
" June	The Persian Translators their Wages for this Month	1,134 0 0	
" "	Mustapha Alley Cushmanies	— 216 0 0	
" "	Mr. Halhed for Pundits for May	— 118 12 9	
		<hr/>	1,468 12 9

" 1777.	Paid Mr. Halhed for Pundits for June				—	118	12	9	
" July.	" The Persian Translators, their Wages for this Month				—	1,134	0	0	
	" Mustapha Alley Cufhnavies				—	216	0	0	
						<hr/>			1,468 12 9
" August.	Ditto	ditto	for this Month	—	—				1,468 12 9
" Sept.	Ditto	ditto	—	—	—				1,468 12 9
" October.	Ditto	ditto	—	—	—				1,468 12 9
" Nov.	Ditto	ditto	—	—	—				1,468 12 9
" Dec.	Ditto	ditto	—	—	—				1,468 12 9
	" Mr. Halhed for Pundits Salary for December					118	12	9	
	" The Persian Translators, their Wages for January					1,134	0	0	
	" Mustapha Alley Cufhnavies				—	216	0	0	
	" 1 Blank Book				—	158	3	6	
						<hr/>			1,627 0 3
" 1778.									
" February.	Mr. Halhed for Pundits for January				—	118	12	9	
	" Mustapha Alley Cufhnavies for February					216	0	0	
						<hr/>			334 12 9
" March.	Ditto		for March	—	—	216	0	0	
	" Mr. Halhed for Pundits Wages for February					118	12	9	
						<hr/>			334 12 9
" April.	Ditto	ditto	for this Month	—	—				334 12 9
" May.	Ditto	ditto	ditto	—	—				334 12 9
" June.	Ditto	ditto	ditto	—	—				334 12 9
	" Mustapha Alley Cufhnavies for this Month					216	0	0	
	" 1 Blank Book				—	120	6	9	
						<hr/>			336 6 9
" August.	Mustapha Alley Cufhnavies for this Month				—				216 0 0
" Sept.	Ditto	ditto	ditto		—				216 0 0
" October.	Ditto	ditto	ditto		—				216 0 0
" Nov.	Ditto	ditto	ditto		—				216 0 0
" Dec.	Ditto	ditto	ditto		—				216 0 0
" 1779.									
" January.	Ditto	ditto	ditto		—				216 0 0
" February.	Ditto	ditto	ditto		—				216 0 0
" March.	Ditto	ditto	ditto		—				216 0 0
" April.	Ditto	ditto	ditto		—				216 0 0
" May.	Ditto	ditto	ditto		—				216 0 0
" June.	Ditto	ditto	ditto		—				216 0 0
" July.	Ditto	ditto	ditto		—				216 0 0
" August.	Ditto	ditto	ditto		—				216 0 0
" Sept.	Ditto	ditto	ditto		—				216 0 0
" October.	Ditto	ditto	ditto		—	216	0	0	
	" Mowlavee Mudged O'Dien, for this Month,								
	" House Rent				100				
	" Charges				300				
					—	Ars. 400	or	432	0 0
						<hr/>			648 0 0

" 1779.								
" Nov.	Paid Mustapha Alley Cufhnavies for this Month				200	0	0	
	" Mowlavee Mudged O'Dien for House Rent for ditto — — — —				100	0	0	
					Ars. 300 0 0 or 324 0 0			
" Dec.	Mustapha Alley Cufhnavies for this Month —				216	0	0	
	" Mowlavee Mudged O'Dien, his Wages for October and November last				600	0	0	
	Allowance of Scholars				400	0	0	
	House Rent —				200	0	0	
					1,200	0	0	
	Deduct advanced him —				500	0	0	
					Ars. 700 0 0 or 756 0 0			
					972 0 0			
" 1780.								
" January.	Mustapha Alley Cufhnavies, for this Month				216	0	0	
	" Mowlavee Mudged O'Dien, his Wages for December and January —				600	0	0	
	" Allowance of Scholars				400	0	0	
	" House Rent —				200	0	0	
					Ars. 1,200 0 0 or 1,296 0 0			
					1,512 0 0			
" Feb.	Mustapha Alley Cufhnavies for this Month				216	0	0	
	" Mowlavee Mudged O'Dien, his Wages for this Month — —				300	0	0	
	" Allowance of Scholars				200	0	0	
	" House Rent —				100	0	0	
					600	0	0	
					648 0 0			
					864 0 0			
" March.	Mustapha Alley Cufhnavies for this Month				216	0	0	
	" Mowlavee Mudged O'Dien for this Month, Wages —				Ars. 300	0	0	
	" Allowance of Scholars				200	0	0	
	" House Rent —				100	0	0	
					600	0	0	
					648 0 0			
					864 0 0			
" April.	Ditto	ditto	ditto	for this Month	—			864 0 0
" May.	Ditto	ditto	ditto	ditto	—	—		864 0 0
" June.	Ditto	ditto	ditto	ditto	—	—		864 0 0
" July.	Ditto	ditto	ditto	ditto	—	—		864 0 0
" August.	Ditto	ditto	ditto	ditto	—	—		864 0 0
" Sept.	Ditto	ditto	ditto	ditto	—	—		864 0 0
" October.	Ditto	ditto	ditto	ditto	—	—		864 0 0
" Nov.	Ditto	ditto	ditto	ditto	—	—		864 0 0
" Dec.	Ditto	ditto	ditto	ditto	—	—		864 0 0
					76,500 4 3			
" 1781.								
" January.	Mustapha Alley Cufhnavies for this Month —				216	0	0	
	" Mowlavee Mudged Dien for this Month, his Wages —				Ars. 300	0	0	
	" Allowance of Scholars				200	0	0	
	" House Rent —				100	0	0	
					600	0	0	
					648 0 0			
					864 0 0			

" 1781.	Paid Mustapha Alley Cushmanies for this Month																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																				</
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" 1782.				
" July.	Paid Mowlavey Mudged O'Din for keeping a School			
		200	0	
	" Wages	300	0	
	" House Rent	100	0	
		<u>600</u>	0	
	" Do. do. for keeping another School			
		470	0	
	" House Rent	51	8	
		<u>521</u>	8	
				1,121 8 or 1,211 3 6
	" Making new Straw Cook Rooms and necessary Houses at Madriffa for Mowlavey Mudged O'Din and the Scholars Ar. 150 or			
			162	0 0
	" Mustapha Alley Cufhnavies for this Month		216	0 0
			<u>216</u>	0 0
				1,589 3 6
" August.	Mowlavey Mudged O'Din, for keeping a School			
		200	0	
	" Wages —	300	0	
	" House Rent	100	0	
		<u>600</u>	0	
	" D. do. for keeping another School			
		470	0	
	" House Rent	51	8	
		<u>521</u>	8	
				1,121 8 or 1,211 3 6
	" Mustapha Alley Cufhnavies for this Month		216	0 0
			<u>216</u>	0 0
				1,427 3 6
" Sept.	Mustapha Alley Cufhnavies for this Month			
			216	0 0
" October.	To Mowlavey Mudged O'Din, for keeping a School and House Rent for last Month			
			1,211	3 6
	" Mustapha Alley Cufhnavies for this Month		216	0 0
			<u>216</u>	0 0
				1,427 3 6
" Nov.	Mustapha Alley Cufhnavies for this Month			
			216	0 0
" Dec.	Ditto ditto ditto			
			216	0 0
" 1783.				
" January.	Ditto ditto ditto			
			216	0 0
" February.	Ditto ditto ditto			
			216	0 0
" March.	Ditto ditto ditto			
			216	0 0
" April.	Ditto ditto ditto			
			216	0 0
	" A Dorogah's Wages for 7 Months at 50 S ^r R ^r per Month for superintending the Building			
			406	0 0
			<u>406</u>	0 0
				622 0 0
" May.	To Mustapha Alley Cufhnavies for this Month			
			216	0 0
" June.	Ditto ditto ditto			
			216	0 0
	" To a Bengal Moonshy for this Month S ^r R ^r or		69	9 6
			<u>69</u>	9 6
				285 9 6
" July.	To Mustapha Ally Cufhnavies for this Month			
			216	0 0
	" To a Bengal Moonshy for this Month			
		S ^r R ^r 60 0 0 or	69	9 6
			<u>69</u>	9 6
				285 9 6

" 1783.					
" August.	Paid to a Bengal Moonshy for this Month,	—		285	9 6
" Sept.	Ditto ditto ditto	—	285	9 6	
	Bengal Paper and Ink for the Moonshy		2	5 0	
					287 14 6
" October.	Mustapha Alley Cufhnovies for this Month		216	0 0	
	" A Bengal Moonshy ditto	—	69	9 6	
					285 9 6
" Novem.	Ditto ditto ditto	—		285	9 6
" Decem.	Ditto ditto ditto	—		285	9 6
					108,827 9 6

" Deduct.

" 1782.

" August. Received from the Khalfah Treasury for the Allowance of the Mowlovies, &c. of the Madriffa, from 1st May 1781, to 31st August 1782 —

20,258 10 3

" Decem. Ditto ditto for October 1782 —

1,211 3 6

21,469 13 9

" Fort William,
the 31st December 1783.

Current Rupies 87,357 11 9

" Errors excepted,

" W^m Larkins, Acting Att^y for the
Hon^{ble} Warren Hastings."

" D U P L I C A T E .

" An Account	disbursed by the Governor for the Salary of Lieutenant Colonel Gilbert				
	de, during the Period in which he acted as Military Secretary.				
" 1773.					
" Jan. 15.	Salary from April to December 1772, S ^d 4 950, or		5,494	8 0	
" Feb. 28.	do. — — — for January 1773		619	6 0	
" March 30.	do. — — — for February		559	7 0	
" April 30.	Do. do. — — — for March		619	6 0	
" May 31.	Do. do. — — — for April	540			
	Do. do. — — — for May	558			
					1,098
	" Batta 11 per Cent.	120			
					1,218 12 6
	" Current Rupees		8,511	7 6	

" Fort William,
the 31st December 1783.

Errors, excepted,

W^m Larkins, acting Attorney for the
Honble. Warren Hastings."

" D U P L I C A T E .

" An Account of Charges disbursed in the Office of the Governor General, from 1st September 1772, to 1st January 1784.					
" 1773.					
	" Paid Mr. Henry Griffith his Allowance from 1st September 1772, to the 30th June 1773, is 10 Months, at A. R. 150 per Month, is				
	Arcot R ^s 1500	—	—	—	1,620 0 0
" Jan.	2 Duftories from 19th to 31st Dec. 1772, at 6, 14 6 6, or	—			15 9 0

" 1773.	Bookbinders Attendance	—	—	—	2	2	6					
" April.	Do. do. do.	—	—	—	14	6	8					
" June.	" Paid Mr. Henry Griffith his Allowance from 30th June to 31 Dec. 1773, is 6 Months, at 150 A. R ^s per Month, is A. Rupees 900, or	—	—	—	972	0	0					
" 1774.	Mr. Bird, his Allowance from 1st October 1773, to the 1st of February 1774, is 4 Months, at 250 A. R ^s per Month, A. R ^s 1000, or	—	—	—	1,080	0	0					
" Feb.	" 1 Duftories Wages for January and February 1774	—	—	—	10	12	9					
" March.	1 Do.	—	—	—	5	0	0					
" 4 Do.	— for 15 Days	—	—	—	14	0	0					
	A. R ^s	19	or	—	20	8	3					
" April.	1 Do.	—	—	—	5	0	0					
" 1 Do.	from 17th January to 30th April is 3 M ^o 13 D.	13	12	0	—	—	—					
" 2 Do.	—	14	0	0	—	—	—					
" 1 Do.	for 10 Days	2	5	3	—	—	—					
" 1 Do.	for 6 Days	1	6	6	—	—	—					
	A. R ^s	36	7	9	or	39	6	6				
" May.	6 Duftories for this Month	—	A. R ^s	33	8	0	or	36	2	9		
" Paid Mr. Bird his Allowance from 1st February to 1st June 1774, is 4 Months, at 250 A. R ^s per Month, is	—	1000	0	0	—	—	—	—	—	—		
" Paid Mr. Henry Griffith his Allowance from the 31st Dec. to the 30th June, 1774, is six Months at A. R ^s 150 per Month, is	900	0	0	—	—	—	—	—	—	—		
	A. R ^s	1900	0	0	or	2,052	0	0	—	—		
" 6 Duftories for this Month	32	6	6	or	35	0	0	2,087	0	0		
" July.	Bookbinders to bind Books	—	—	—	17	6	3	—	—	—		
" 5 Duftories for this Month	A. R ^s	28	0	0	or	30	3	9	47	10	0	
" August.	Paid Mr. Henry Griffith his Allowance for July 1774	—	A. R ^s	150	or	162	0	0	—	—		
" 5 Duftories for this Month	34	or	36	11	6	198	11	6	—	—		
" Sept.	5 Do.	do.	—	—	A. R ^s	30	15	6	or	33	7	3
" Oct.	Paid Mr. Henry Griffith his Allowance for August, September, and October 1774, at A. R ^s 150 per Month, is	A. R ^s	450, or	486	0	0	—	—	—	—		
" Do.	Mr. Bird's from 1st June to 31st October, is 5 Months, at 250 per Month, is 1,250, or	1,350	0	0	—	—	—	—	—	—		
" 5 Duftories for this Month	A. R ^s	34, or	36	11	6	1,872	11	6	—	—		
" Nov.	Do. Mr. P. Laforte, his Allowance for this Month, S ^r R ^s 140, or	—	—	—	162	6	6	—	—	—		
" 5 Duftories, A. R ^s 41, or	—	—	—	—	44	4	6	206	11	6		

(1131)

" 1774.	Paid Mr. Laforte his Allowance for this Month, Curr ^t R ^t	162	6	6		
" Dec.	" 5 Duftories — — A. R ^t 41, or	44	4	6		
					206	11 0
	" Do. Mr. Henry Griffith his Allowance for November and December 1774 — — C. R ^t	324	0	0		
						530 11 0
" 1775.	Do. P. Laforte his Allowance for this Month —	162	6	6		
" Jan.	" Do. Mr. Henry Griffith's Allowance —	162	0	0		
" Feb.	Do. Mr. W. H. Bird's Allowance for November and December 1774, at 250 per Month, A. R ^t 500, or	540	0	0		
	" 5 Duftories for this Month — 41, or	44	4	6		
	" Do. P. Laforte's Allowance for this Month —	162	6	6		
	" 6 Duftories — — —	44	4	6		
	" Do. Mr. Bird's Allowance from 1 st January to 1 st April 1775, is 3 Months A. R ^t 750 0 0					
	" Advanced Do. for April and May 500 0 0					
	A. R ^t 1,250 0 0 or 1,350 0 0					
" March.	P. Laforte for this Month —	162	6	6		
	" 6 Duftories — — 41 0 0					
	" Bookbinders — — 1 1 3					
		42	1	3	or	4 5 7
						1,557 13 6
" April.	Paid Mr. Henry Griffith his Allowance for February and March — —	324	0	0		
	" Do. P. Laforte for this Month — —	162	6	6		
	" Bookbinders Work — — 0 7 0					
		41	0	0		
		41	7	0	or	44 12 0
						531 2 6
" May.	Paid P. Laforte his Allowance for this Month	162	6	6		
	" Do. Henry Griffith; Do. for April and May	324	0	0		
	" W. H. Bird as an Advance of his Allowance for June, July, and August 1775, at Arcot Rupees 250 per Month 750 0 0 or	810	0	0		
	" 6 Duftories for this Month 41 0 0	44	4	6		
						1,340 11 0
" June.	P. Laforte his Allowance for this Month —	162	6	6		
	" Henry Ryeen's Salary from 15 th April to the 31 st May 1775, at 200 S ^t R ^t per Month, is 300, or — —	348	0	0		
	" Thomas P. Broughton's Allowance from January to May 1775, at 100 S ^t , is 500	580	0	0		
	" Henry Griffith's Allowance for this Month	162	0	0		
	" 6 Duftories for this M ^o A. R ^t 41 0 0					
	" Binding three Books — — 4 5 0					
		45	5	0	or	48 15 0
						1,301 5 6

" 1775.	Paid P. Laferte his Allowance for this Month	162	6	6	
" July.	" Henry Ryeen's Allowance for June	232	0	0	
	" Tho' P. Broughton's is	116	0	0	
	" Bookbinder	1	1	3	
	" 6 Duftories for this Month	41	0	0	
	A. R'	42	1	3	or 45 7 0
					555 13 6
" August.	Paid P. Laferte his Allowance for this Month	162	6	6	
	" Henry Griffith's ditto for July	162	0	0	
	" Henry Ryeen's is	232	0	0	
	" Binding 3 Books	4	10	0	
	" 6 Duftories for this Month	41	0	0	
	" A. R'	45	10	0	or 48 15 6
					605 6 0
" Sept.	Paid P. Laferte his Allowance for this Month	162	6	6	
	" Henry Ryeen's ditto for August	232	0	0	
	" Henry Griffith's Allowance for ditto	162	0	0	
	" 6 Duftories for this Month A. R'	41	0	0	or 44 4 6
					600 11 0
" Oct.	Paid P. Laferte's Allowance for this Month	162	6	6	
	" Henry Ryeen's ditto for September	232	0	0	
	" B. Rodrigue's ditto from July 1772 to March 1773, is 9 Months a 300 S ^{rs} per M ^o	2,700	0	0	or 3,132 0 0
	" 6 Duftories for this Month A. R'	41	0	0	or 44 4 6
					3,570 11 0
" Nov.	Paid Henry Ryeen's Allowance for October and November	464	0	0	
	" Mr. Bird's ditto from September to December, 4 Months at 250 per Month				
	" A. R'	1,000	0	0	or 1,080 0 0
	" Mr. Tho' Elwoods his Salary for October	174	0	0	
	" P. Laferte his Allowance for this M ^o	162	6	6	
	" 6 Duftories for this Month	41	0	0	
	" Bookbinder and Silk	0	5	6	
	A. R'	41	5	6	or 44 10 6
					1,925 1 0
" Dec.	Paid Henry Ryeen's Salary for this Month	232	0	0	
	" Mr. Tho' Elwood's ditto for November	174	0	0	
	" P. Laferte ditto for this Month	162	6	6	
	" 6 Duftories	41	0	0	
	" Bookbinder's Work and Gold Thread, &c	3	2	0	
	A. R'	44	2	0	or 47 10 6
					616 1 0
" 1776.					
" January.	Paid Henry Ryeen's Salary for this Month	232	0	0	
	" T. M. Elwood's do. for December	174	0	0	
	" P. Laferte do. for this Month	162	6	6	
	" 5 Duftories do. do. A. R' or	38	14	0	
					607 4 6

" 1776.

" February. Paid Henry Ryeen's Salary for this Month

S ^r Rupees	200	0	0	or	232	0	0
" Bryan Glover's Salary from November 1774 to February 1776, being 15 Months at 500 A. R' per Month, is A. R' 7,500	0	0					
Batta 8 per Cent.	600	0	0				
					8,100	0	0
" Henry Griffith's Salary from September 1775 to February 1776, is 6 Months, at 150 per Month	A. R' 900	0	0	or	972	0	0
" Peter Laferte his Allowance for this Month					162	6	6
" 5 Duftories for this Month, A. R'	36	0	0				
" Bookbinders Work	—	3	0	0			

" A. R. 39 0 0 or 42 2 0

9,508 8 6

" Paid Mr. W. H. Bird his Allowance for January and February

" Henry Griffith's Salary for this Month					540	0	0
" Henry Ryeen's ditto	—	—	—		162	0	0
" Peter Laferte his Allowance	—	—	—		232	0	0
" 5 Duftories for this Month	36	0	0		162	6	6
" Silk	—	—	—		0	3	6

36 3 6 or 39 1 9

1,135 8 3

" April. Paid Henry Ryeen's Allowance for this Month

" Henry Griffith's	—	—	—		232	0	0
" Bryan Glover's Allowance for February and March 1776	—	—	—		162	0	0
" 5 Duftories for this Month, A. R' 36	0	0	or		1,080	0	0
" T. M. Elwood's Allowance for January, February, and March	S ^r Rup' 450	0	0	or	38	14	0
" Peter Laferte his Allowance for this Month					522	0	0
					162	6	6

2,197 4 6

" May. Paid Henry Ryeen's ditto

" Mr. Bird's Allowance for March and April, at 250 A. R' per Month	—	—	—		232	0	0
" Mr. Glover's Allowance for April and May, at 500 A. R' per Month	—	—	—		540	0	0
" T. M. Elwood's Allowance for April	—	—	—		1,080	0	0
" B. Rodrigues his Allowance from 26th March to the 31st May 1776, is 2 Months 4 Days, a 200 per Month					174	0	0

S^r R' 426 10 8 or 494 15 0

" P Laferte his Allowance for this Month					162	6	6
" 5 Duftories for this Month, A. R' 36	0	0	or		38	14	0

2,722 3 6

" June. Paid Henry Ryeen's Allowance for this Month

" Henry Griffith's for May	—	—	—		232	0	0
" T. M. Elwood's	—	—	—		162	0	0
" P. Laferte's for this Month	—	—	—		174	0	0
" Binding 2 Books	A. R' 2	7	8		162	6	6
" 4 Duftories for this Month	29	0	0				

31 7 8 or 33 15 9

764 6 3

" July.	Paid Henry Ryeen's Allowance for this Month		—	232	0	0	
	" R. Rodrigues's Allowance for June		—	232	0	0	
	" Mr. Bird's ditto for May and June a 250 per Month		— — —	540	0	0	
	" Henry Griffith's Allowance for June		—	162	0	0	
	" T. M. Elwood's		— — —	174	0	0	
	" Peter Laferte's for this Month		—	162	6	6	
	" Bookbinder's Work and Leather		1 2 0				
	" 4 Duftories for this Month		29 0 0				
	A. R'	30	2 0 or	32	8	6	1,534 15 0
" August.	Paid Henry Ryeen's Allowance for this Month			232	0	0	
	" D ^r Henry Griffiths for July		— —	162	0	0	
	" B. Rodrigues		— — —	232	0	0	
	" W. H. Bird's for July and August		—	540	0	0	
	" T. M. Elwood's for July		— —	174	0	0	
	" Bryan Glover's from June to August a 500 per Month		A. R' 1,500 0 0 or	1,620	0	0	
	" Peter Laferte his Allowance for this Month			162	6	6	
	" 4 Duftories Wages for this Month		29 0 0 or	31	5	0	3,153 11 6
" Sept.	Paid Henry Ryeen's Allowance for this Month			232	0	0	
	" B. Rodrigue's Allowance for August			232	0	0	
	" T. M. Elwood's		— — —	174	0	0	
	" Henry Griffith's for August and September, at 150 per Month		A. R' 300 0 0 or	324	0	0	
	" P. Laferte his Allowance for this Month			162	6	6	
	" Binding a Book		— 1 10 0				
	" Cotton, &c. for sending Europe Packet		— — 3 10 0				
	" 4 Duftories Wages for this Month		29 0 0				
	A. R'	34	4 0 or	36	15	9	1,161 6 3
" Oct.	Paid Henry Ryeen's Salary for this Month		—	232	0	0	
	" B. Glover's for September		— —	540	0	0	
	" T. M. Elwood's for ditto		— —	174	0	0	
	" B. Rodrigue's for ditto		— —	232	0	0	
	" Peter Laferte for this Month		— —	162	6	6	
	" Binding a Book		— 1 12 0				
	" 4 Duftories Wages for this Month		29 0 0				
	A. R'	30	12 0 or	33	3	6	1,373 10 0
" Nov.	Paid B. Glover's Salary for October		—	540	0	0	
	" T. M. Elwood's for ditto		— —	174	0	0	
	" Wm. H. Bird's for September and October		— —	540	0	0	
	" Henry Ryeen's for this Month		—	232	0	0	
	" B. Rodrigue's for October		—	232	0	0	
	" Peter Laferte for this Month		— —	162	6	6	
	" Gurrah and Cotton to pack the Letters		— — 3 0 0				
	" 4 Duftories Wages for this Month		29 0 0				
	A. R'	32	0 0 or	34	9	0	1,914 15 6

" 1776.

" Dec.	Paid B. Glover's Allowance for November and December	—	—	—	1,080	0	0	
	" T. M. Elwood's Allowance for November	—	—	—	174	0	0	
	" Henry Ryeen's for this Month	—	—	—	232	0	0	
	" B. Rodrigue's for November	—	—	—	232	0	0	
	" H. Griffith's for October and November	—	—	—	324	0	0	
	" Peter Laferte's Allowance for this Month	—	—	—	162	6	6	
	" 4 Duftories Wages for this Month A. R' 29°	0	0	or 31	5	0		2,235 11 6

" 1777.

" Jan.	Paid W. H. Bird's Allowance for November and December	—	—	—	540	0	0	
	" Henry Ryeen's Allowance for this Month	—	—	—	232	0	0	
	" T. M. Elwood's for December	—	—	—	174	0	0	
	" B. Rodrigue's for ditto	—	—	—	232	0	0	
	" Peter Laferte's for ditto	—	—	—	162	6	6	
	" Duftories Wages for this Month	—	—	—				
	A. R' 29	0	0	or 31	5	0		1,371 11 6

" Feb.	Paid Henry Ryeen's Allowance for this Month	—	—	—	232	0	0	
	" B. Glover's for January	—	—	—	540	0	0	
	" T. M. Elwood's for ditto	—	—	—	174	0	0	
	" B. Rodrigue's for ditto	—	—	—	232	0	0	
	" P. Laferte's for this Month	—	—	—	162	6	6	
	" Samuel Hick his Allowance from 15th November 1776, to 31st January 1777, is 2 M° 15	—	—	—				
	D. at 101 S ^a Rupees per Month	—	—	—	290	0	0	
	" 4 Duftories Wages for this Month	—	—	—				
	A. R' 29	0	0	or 31	5	0		1,661 11 6

" March.	Paid Henry Ryeen's Salary for this Month	—	—	—	232	0	0	
	" W ^m H. Bird's for January and February	—	—	—	540	0	0	
	" B. Glover's for February and March	—	—	—	1,080	0	0	
	" T. M. Elwood's for February	—	—	—	174	0	0	
	" B. Rodrigue's for ditto	—	—	—	232	0	0	
	" P. Laferte for March	—	—	—	162	6	6	
	" A Ream of large Post	—	14	0	0			
	" Green Cloth, &c. to cover a Desk	—	7	8	6			
	" 8 Pen Knives	—	16	0	0			
	" Gold Thread to bind some Papers	—	1	0	0			
		—	38	8	6			
	" 4 Duftories Wages for this Month	—	29	0	0			
	A. R' 67	8	6	or 72	15	0		2,493 5 6

" April.	Paid Henry Ryeen's Allowance for this Month	—	—	—	232	0	0	
	" B. Glover's ditto ditto	—	—	—	540	0	0	
	" T. M. Elwood's ditto for March	—	—	—	174	0	0	
	" B. Rodrigue's ditto ditto	—	—	—	232	6	6	
	" P. Laferte's ditto for this Month	—	—	—	162	6	6	
	" Cotton, &c. for the Packet	—	6	2	0			
	" Gold Thread for binding Books	—	2	0	0			
	" Silk ditto	—	0	2	0			
	" Bookbinders Work	—	6	14	0			
	" Sand	—	1	4	0			
	" Curwah for covering the Books	—	3	0	0			
	" Iron File, and mending a Lanthorn	—	1	0	0			
	" 4 Duftories Wages for this Month	—	29	2	0			
	A. R' 49	6	0	or 53	5	3		1,393 11 9

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" 1779.	Paid P. Laferte's Allowance for this Month	—	232	0	0	
" Dec.	" B. Rodrigue's	—	232	0	0	
	" 5 Duftories Wages do. A. R'	34 8 0 or	37	4	3	501 4 3
" 1780.	Paid P. Laferte's Allowance for this Month	—	232	0	0	
" Jan.	" B. Rodrigue's	—	232	0	0	
	" Rattaining 2 Chairs A. R'	0 10 0				
	" 5 Duftories Wages	— 35 14 6				
	A. R'	36 8 6 or	39	7	3	503 7 3
" Feb.	Paid Laferte's Allowance for this Month	—	232	0	0	
	" B. Rodrigue's	—	232	0	0	
	" Silk	— 0 8 0				
	" 5 Duftories Wages	— 38 0 0				
	A. R'	38 8 0 or	41	9	3	505 9 3
" March.	Paid P. Laferte's Allowance for this Month	—	232	0	0	
	" B. Rodrigue's do.	—	232	0	0	
	" Silk	— 0 2 0				
	" 5 Duftories Wages	— 38 0 0				
	A. R'	38 2 0 or	41	2	9	505 2 9
" April.	Paid P. Laferte's Allowance for this Month	—	232	0	0	
	" B. Rodrigue's	—	232	0	0	
	" Silk	— 0 2 0				
	" 5 Duftories Wages	— 38 0 0				
	A. R'	38 2 0 or	41	2	9	505 2 9
" May.	Paid Mr. B. Glover's Allowance from November 1779 to March 1780, is 5 Months, at 500 per Month	A. R' 2,500 or	2,700	0	0	
	" P. Laferte's Allowance for this Month	—	232	0	0	
	" B. Rodrigue's	—	232	0	0	
	" Guzzy and Gunah	— 0 7 6				
	" 4 Bundles of Tape	— 3 12 6				
	" 5 Duftories Wages	— 38 0 0				
	A. R'	42 4 0 or	45	10	0	3,209 10 0
" June.	Paid P. Laferte's Allowance for this Month	—	232	0	0	
	" B. Rodrigue's	—	232	0	0	
	" 5 Duftories Wages A. R'	38 0 0 or	41	9	0	505 0 9
" July.	Paid Mr. S. Skardon from 1st September 1779 to June 1780, is 10 Months, at 300 per Month	" S' R' 3,000 or	3,480	0	0	
	" P. Laferte's Allowance for this Month	—	232	0	0	
	" B. Rodrigue's	—	232	0	0	
	" Mending a Chair	— 0 14 0				
	" Tape	— 0 11 0				
	" 5 Duftories Wages for this Month	38 0 0				
	A. R'	39 9 0 or	42	11	9	3,986 11 9

" 1780.

" August. Paid Mr. P. Bowen's Allowance for May, June, and
 July 1780, at 300 R^s per Month, S^t Rup^d 900 or 1,044 0 0
 " J. M. Playdell do. do. do. 1,044 0 0
 " P. Laferte's Allowance for this Month — 232 0 0
 " B. Rodrigue's — — 232 0 0
 " 5 Duftories Wages A. R^s 38 0 0 or 41 0 9
 2,593 0 9

" Sept. Paid Laferte's Allowance for this Month — 232 0 0
 " B. Rodrigue's — — 232 0 0
 " Cloth and Skin — A. R^s 1 0 0
 " 5 Duftories Wages — 38 0 0
 39 0 0 or 42 2 0
 506 2 0

" Oct. Paid P. Laferte's Allowance for this Month — 232 0 0
 " B. Rodrigue's — — 232 0 0
 " Silk, &c. — — 0 7 0
 " 4 Duftories Wages for this Month 26 0 0
 A. R^s 26 7 0 or 28 8 9
 492 8 9

" Nov. Paid P. Laferte's Allowance for this Month — 232 0 0
 " B. Rodrigue's — — 232 0 0
 " J. M. Playdell's Allowance for August and
 September, S^t R^s 600 — — or 696 0 0
 " Cloth — — 0 2 6
 " 4 Duftories Wages for this Month 28 0 0
 A. R^s 30 6 0 or 32 12 6
 1,192 12 6

" Dec. Paid P. Laferte's Allowance for this Month — 232 0 0
 " B. Rodrigue's — — 232 0 0
 " Samuel Skardon's for August, September, Oc-
 tober, and November, at 300 per Month,
 S^t R^s 1,200 — — or 1,392 0 0
 " Cloth — — 0 5 0
 " 4 Duftories Wages for this Month 28 0 0
 28 5 0 or 30 9 3
 1,886 9 3

" 1781.

" Jan. Paid P. Laferte Allowance for this Month — 232 0 0
 " B. Rodrigue's do. do. do. 232 0 0
 " P. Bowen's Allowance from August to Decem-
 ber 1780, is 5 Months, at 300 per Month,
 S^t R^s 1,500 — — or 1,740 0 0
 " George Nesbit Thompson's Allowance for Oc-
 tober, November, and December 1780, at
 300 S^t R^s 900 — — or 1,044 0 0
 " Silk, &c. — — 0 9 0
 " 4 Duftories Wages for this Month 28 0 0
 28 9 0 or 30 13 6
 3,278 13 6

4

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“ Fort William,
the 31st December 1783.

(Errors excepted.)

“ W^m Larkins,
Acting Attorney for the
Honourable W. Hastings Esq.”

“ D U P L I C A T E .

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“(Errors excepted.)

“ W^m Larkins,
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Honourable Warren Hastings Esq.”

" D U P L I C A T E .

" Account of Sums disbursed for Budgerows and Boats for the Governor General's Use.

" 1781.	MARY YACHT.				
" March.	Bought from Captain Thornhill, as				
	per Bill	—	—	S ^d 8,000	0 0
	" Batta 16 per Cent.	1,280	0 0		
					9,280 0 0
	" Repairing and Stores, supplied by				
	Captain Sampson, as per Bills,				
	" In June 1781	1,310	6 6		
	" July	2,012	3 9		
	" December 1782	2,806	14 9		
	" July 1783	1,706	13 3		
	" August	4,200	14 0		
					12,037 4 3
	" Due to the Estate of the late Captain				
	Sampson on this Account	—	303 5 0		
					12,340 9 3
					21,620 9 3

" NEW BUDGEROW.

" Amount of Mr. David Cuming's Bill					
for building the same	S ^d	28,018	9 0		
" Batta 16 per Cent.		4,482	15 6		
					32,501 8 6
" Paid Mr. W. Williams, as per Bill,					
for 1 Pair Vase Lamps,	S ^d	70	2 0		
" Batta 16 per Cent.		11	3 6		
					81 5 6
" Due to the Estate of the late Captain					
Sampson for Sundries supplied to do.	—		630 1 6		
					33,212 15 6

" 1783.	Charges since incurred.				
" June.	500 Dunnah Mats	—	—		34 12 9
" July.	A small Lanthorn	1	8 0		
" 1 Carpet	—	4	0 0		
" 1 Chest	—	2	0 0		
" Gurrey Cloth	—	0	7 0		
" Oil	—	0	4 0		
" Making 2 Curbah Cover-					
ing Cloths		23	10 0		
					31 13 0 or 36 14 3
" Wages to					
1 Larang, for July					
1783		15	0 0		
" 11 Lascars		77	0 0		
" 1 Wooluck hired to at-					
tend the Budgerow in					
going to Chinsurah		26	11 0		
" A. R'		118	11 0 or 128 2 9		165 1 0

" 1783.

" Aug. Wages for this Month :

" To 1 Larong	15	0	0
" 11 Lafcars	77	0	0
" 1 Wooluck hired to attend the Budgerow	44	8	0
" Lamp Oil	—	0	6 6
" Towels, 12	—	1	3 6
		<u>138</u>	<u>2 0</u>
		11	0 9

149 2 9

" Sept. Wages for this Month

" To 1 Larong	12	0	0
" 11 Lafcars	77	0	0
		<u>A. R'</u>	<u>89 0 0 or 82 9 0</u>
" 1 Manjee, from 19th June to 30th Sep- tember, is 3 Months and 12 Days, at 8 per Month	A. R'	27 3 0	or 25 2 9
" 2 Golooyeas, for D° at 8	—	27 3 0	or 25 2 9
" 32 Dandies, for D°, at 96 per Month		326 6 9	
		<u>459 5 3</u>	
" Deduct paid by Mr. Cuming		100 0 0	
		<u>359 5 3</u>	

" 1 Dorogah, from 24th June to 30th Sep- tember, is 3 Months 7 Days, at 10 per Month	—	32 5 3	or 30 0 0
" 1 Froh, from D° to D°, at 5	—	16 2 9	or 15 0 0
" 1 Wooluck hired to attend the Budge- row	A. R'	46 0 0	or 42 11 0

" Batta 16 per Cent. 447 0 3
71 8 3

518 8 6

" Oct. Wages for this Month :

" To 1 Larong	—	—	12 0 0
" 11 Lafcars	—	—	77 0 0
" 1 Manjee	—	—	8 0 0
" 2 Golooyeas	—	—	8 0 0
" 32 Dandies	—	—	103 8 0
" 1 Dorogah	—	—	10 0 0
" 1 Froh	—	—	5 0 0
" Lamp Oil	—	—	0 4 0
" 1 Wooluck hired to attend the Bud- gerow for 14 Days	—	—	20 1 0

" Batta 8 per Cent. 243 13 0
19 8 0

263 5 0

" Charges since incurred.

" Nov. Wages for this Month :

" To 1 Larong	12	0	0
" 11 Lafcars	77	0	0
" 1 Manjee	—	8	0 0
" 2 Golooyeas	—	8	0 0
" 32 Dandies	—	103	8 0
" 1 Dorogah	—	10	0 0
" 1 Froh	—	5	0 0
" Lamp Oil	—	0	4 3
		<u>223 12 3</u>	
" Batta 8 per Cent.		17 14 6	

241 10 9

" 1783.

" Dec. Wages for this Month :

" To 1 Larang	12	0	0
" 11 Lascars	77	0	0
" 1 Manjee	8	0	0
" 2 Golooyeas	8	0	0
" 32 Dandies	103	8	0
" 1 Drogah	10	0	0
" 1 Frosh	5	0	0
" Lamp Oil	0	4	3

" Batta 8 per Cent. 223 12 3
17 14 6

241 10 9

1,614 3 6

" Amount of Mr. Griffith's Bill for a Budgerow,
purchased from him on June 1781 S^r 2500 0 0

" Deduct the Amount at which she was sold by
public Auction — — S^r 165 0 0

" Batta 16 per Cent. 2335 0 0
373 9 6

2,708 9 6

" Fort William,
" the 19th January 1784.

Current Rupees 59,156 5 9^(a) §

Read, the following Extract from Mr. Hastings' written Defence delivered in at the Bar of the House of Commons, beginning at Page 367 of the same.

" The last Part of the Charge states, that in my Letter to the Court of Directors of the 21st of February 1784, I have confessed to have received another Sum of Money, the Amount of which is not declared ; but which, from the Application of it, could not be less than thirty-four thousand Pounds Sterling, &c.—In the Year 1783, when I was actually in Want of a Sum of Money for my private Expences, owing to the Company not having at that Time sufficient Cash in their Treasury to pay my Salary, I borrowed Three Lacks of Rupees of Rajah Nobkissen, an Inhabitant of Calcutta, whom I desired to call upon me with a Bond properly filled up—he did so ; but, at the same Time I was going to execute it, he entreated, I would rather accept the Money than execute the Bond : I neither accepted the Offer nor refused it ; and my Determination upon it remained suspended between the Alternative of keeping the Money as a Loan to be repaid, and of taking it and applying it, as I had done other Sums, to the Company's Use ; and there the Matter rested till I undertook my Journey to Lucknow, when I determined to accept the Money for the Company's Use, and these were my Motives ; having made Disbursements from my own Cash for Services which, though required to enable me to execute the Duties of my Station, I had hitherto omitted to enter into my Public Accounts, I resolved to reimburse myself in a Mode most suitable to the Situation of the Company's Affairs, by charging these Disbursements in my Durbar Accounts of the present Year, and crediting them by a Sum privately received, which was this of Nobkissen's. If my Claims upon the Company were not founded in Justice, and bona fide due, my Acceptance of three Lacks of Rupees from Nobkissen by no Means precludes them from recovering that Sum from me. No Member of this Honourable House suspects me, I hope, of the Meanness and Guilt of presenting false Accounts. I have never benefited by contingent Charges, or by retaining the Money of the Publick in my own Possession for my private Emolument."

The Managers for the Commons stated, that the next Paper they should produce contained a Demand made by the Court of Directors of a further Explanation of the Subject in Question."

Read, from Book 211, already delivered in, the following " Extract of a Letter from the Court of Directors to the Governor General and Council at Fort William in Bengal, dated 16th March 1784."

" Par^a 47. We have considered the Letters from the Governor General of the 20th January, 22d May, and 16th December 1782, relative to Presents, together with the Account which accompanied the Letter of the 22d May.—Although it is not our Intention to express any Doubt of the Integrity

(a) Vide Appendix, N^o XL.

of our Governor-General, on the contrary, after having received the Presents, we cannot avoid expressing our Approbation of his Conduct, in bringing them to the Credit of the Company; yet we must confess the Statement of those Transactions appears to us in many Parts so unintelligible, that we feel ourselves under the Necessity of calling on the Governor General for an Explanation agreeable to his Promise, voluntarily made to us. We therefore desire to be informed of the different Periods when each Sum was received, and what were the Governor General's Motives for withholding the several Receipts from the Knowledge of the Council, or of the Court of Directors, and what were his Reasons for taking Bonds for Part of these Sums, and for paying other Sums into the Treasury as Deposits on his own Account.

" Signed at the End,

Joseph Sparks,	Nath. Smith,
J. Smith,	W. Devaynes,
Jacob Bosanquet,	John Roberts,
Tho ^s Parry,	L. Sullivan,
George Tatam,	W. Bensley,
Lionel Darell,	John Hunter,
R ^d Hall,	J ⁿ Michie."

To prove that the above Letter of the 16th of March 1784, was received at Bengal, Read, from Book 220, the following Extract of a Consultation of the 28th of August 1784.

" Fort William, 28th August 1784.

Saturday.

" At a Council; Present,

" John Macpherson, } Esquires.
John Stables,

" The Governor General absent at Lucknow.

" Mr. Wheler absent on the River.

" The Surprize Packet being arrived, is opened, and found to contain 4 General Letters from the Court of Directors, Three under Date the 16th March, and One of the 23d April; also sundry other Papers agreeable to the List of Packet.

" Agreed to adjourn till Monday next for the Perusal of the above Letters, and for issuing such Orders upon them as may be necessary.

" John Macpherson,
John Stables."

It was agreed on both Sides that Mr. Hastings, at the Time of the Receipt of the above-mentioned Letter, was absent at Lucknow; that he afterwards returned to Calcutta, and took his Seat at the Board about the 5th of November 1784, and departed for England some Time in the Month of February following, 1785.

The Managers for the Commons stated, they should next produce a Letter from Mr. Hastings, bearing date the 17th of January 1785.

Read, from Book 219, the following Extract of a Consultation of the 17th of January 1785, beginning at Page 369 of the same.

" Fort William, the 17th January 1785.

" At a Council; Present,

" The Honourable Warren Hastings Esquire,
" John Macpherson, } Esquires.
and
John Stables,

" The following Minutes recorded in the Political Department on the 13th instant, having been transferred to this Department, are now entered, and the necessary Orders issued thereupon.

" Read, two Letters from the Governor General, as follow:

" Honourable Sir and Sirs,

Gov. General. " I herewith beg leave to deliver up the three Company's Interest Notes alluded to in the following Extract of an Account which accompanied my Letter to the Honourable Secret Committee of the Honourable Court of Directors of 22d May 1782.

" 1780.

Oct.

" The following Sums were paid into the Treasury, and Bonds granted for the same, in the Name of the Governor General, in whose Possession the Bonds remain, with a Declaration upon

upon each, endorsed, and signed by him, that he has no Claim on the Company for the Amount either of Principal or Interest, no Part of the latter having been received.

" One Bond, dated 1st October 1780.	N ^o 1539	1,16,000	
" One 2d	N ^o 1540	1,16,000	
" One 23 Novem ^r	N ^o 1354	1,74,000	
		<hr/>	4,06,000

" And am to request that the Honourable Board will be pleased to direct the Accountant General to transfer the same from my Credit upon the Honourable Company's Interest Books to the Company's, which will be a Reduction of Current Rupees 5,42,003 : 8 : 9, in the Amount of the Principal and Interest of the bonded Debt of this Presidency on 31st Ultimo.

" I am also to request that the Accountant General may be directed to transfer the Sum of Current Rupees, 2,38,715 : 2 : 3, which now stands to my Credit upon the Deposit Books to the Company's, the same being the Amount of the Second Article of the Account before adverted to, which will consequently reduce the Amount which now appears due from the General Treasury for Deposits.

" In closing this Address I have but to assure the Honourable Board, that the Honourable Company have had Credit for every other Article and Sum contained in the Account before mentioned.

" Fort William, 17th January 1785.

I have the Honour to be, &c.

(Signed)

" Warren Hastings.

" And at the End of the Consultation,

" John Macpherson,
John Stables."

The Managers for the Commons stated, they should next produce a Letter from Mr. Hastings to the Court of Directors, dated Cheltenham, 11th July 1785, in answer to the above mentioned Letter of the 16th March 1784, requiring a further Explanation of the Transaction in Question.

Read, the same from an original Paper already delivered in (a), as follows.

" William Devaynes Esquire, Chairman of the Honourable the Court of Directors.

" Sir,

" The Honourable Court of Directors, in their General Letter to Bengal by the Surprise, dated the 16th March 1784, were pleased to express their Desire, that I should inform them of the Periods when each Sum of the Presents mentioned in my Address of the 22d May 1782, was received; what were my Motives for withholding the several Receipts from the Knowledge of the Council, or of the Court of Directors; and what were my Reasons for taking Bonds for Part of these Sums, and for paying other Sums into the Treasury as Deposits on my own Account.

" I have been kindly apprized, that the Information required as above is yet expected from me. I hope that the Circumstances of my past Situation, when considered, will plead my Excuse for having thus long withheld it. The Fact is, that I was not at the Presidency when the Surprise arrived; and when I returned to it, my Time and Attention were so entirely engrossed to the Day of my final Departure from it, by a Variety of other more important Occupations, of which, Sir, I may safely appeal to your Testimony, grounded on the large Portion contributed by myself, of the Volumes which compose our Consultations of that Period, that the Submission, which my Respect would have enjoined me to pay to the Command imposed on me, was lost to my Recollection, perhaps from the stronger Impression which the first and distant Perusal of it had left on my Mind, that it was rather intended as a Reprehension, for something which had given Offence in my Report of the original Transaction, than as expressive of any Want of a further Elucidation of it.

" I will now endeavour to reply to the different Questions which have been stated to me, in as explicit a Manner as I am able. To such Information as I can give, the Honourable Court is fully entitled; and where that shall prove defective, I will point out the easy Means by which it may be rendered more complete.

" First, I believe I can affirm with Certainty, that the several Sums mentioned in the Account transmitted with my Letter above mentioned, were received at, or within a very few Days of the Dates which are prefixed to them in the Accounts. But as this contains only the gross Sums, and each of these was received in different Payments, though at no great Distance of Time, I cannot therefore assign a greater Degree of Accuracy to the Account. Perhaps the Honourable Court will judge this sufficient for any Purpose to which their Inquiry was directed; but if it should not be so, I will beg leave to refer for a more minute Information, and for the

(a) Vide supra, Page 553.

Means of making any Investigation which they may think it proper to direct, respecting the Particulars of this Transaction, to Mr. Larkins your Accountant General, who was privy to every Process of it, and possessed, as I believe, the original Paper which contained the only Account that I ever kept of it. In this each Receipt was, as I recollect, specifically inserted with the Name of the Person by whom it was made; and I shall write to him to desire that he will furnish you with the Paper itself, if it is still in Being, and in his Hands, or with whatever he can distinctly recollect concerning it.

“ For my Motives for withholding the several Receipts from the Knowledge of the Council, or of the Court of Directors, and for taking Bonds for Part of these Sums, and paying others into the Treasury as Deposits on my own Account, I have generally accounted in my Letter to the Honourable the Court of Directors, of the 22d May 1782; namely, that ‘ I either chose to conceal the first Receipts from publick Curiosity, by receiving Bonds for the Amount; or possibly acted without any studied Design which my Memory, at that Distance of Time, could verify; and that I did not think it worth my Care, to observe the same Means with the rest.’ It will not be expected, that I should be able to give a more correct Explanation of my Intentions, after a Lapse of Three Years, having declared at the Time that many Particulars had escaped my Remembrance; neither shall I attempt to add more than the clearer Affirmation of the Facts implied in that Report of them, and such Inferences as necessarily, or with a strong Probability, follow them. I have said, that the Three first Sums of the Account were paid into the Company’s Treasury without passing through my Hands. The Second of these was forced into Notice by its Destination and Application to the Expence of a Detachment, which was formed and employed against Mahdajee Scintia, under the Command of Lieutenant Colonel Carnac, as I particularly apprised the Court of Directors, in my Letter of the 29th December 1780. The other Two were certainly not intended, when I received them, to be made publick, though intended for publick Service, and actually applied to it. The Exigencies of the Government were at that Time my own, and every Pressure upon it rested with its full Weight upon my Mind. Wherever I could find allowable Means of relieving those Wants, I eagerly seized them; but neither could it occur to me as necessary, to state on our Proceedings every little Aid which I could thus procure, nor do I know how I could have stated it, without appearing to court Favour by an Ostentation which I disdained, nor without the Chance of exciting the Jealousy of my Colleagues by the constructive Assertion of a separate and unparticipated Merit derived from the Influence of my Station, to which they might have laid an equal Claim: I should have deemed it particularly dishonourable to receive, for my own Use, Money tendered by Men of a certain Class, from whom I had interdicted the Receipt of Presents to my Inferiors, and bound them by Oath not to receive them: I was therefore more than ordinarily cautious to avoid the Suspicion of it, which would scarcely have failed to light upon me had I suffered the Money to be brought directly to my own House, or to that of any Person known to be in Trust for me; for these Reasons I caused it to be transported immediately to the Treasury. There I well know, Sir, it could not be received without being passed to some Credit, and this could only be done by entering it as a Loan, or as a Deposit. The first was the least liable to Reflection, and therefore I had obviously Recourse to it. Why the Second Sum was intended as a Deposit, I am utterly ignorant. Possibly it was done without any special Direction from me; possibly because it was the simplest Mode of Entry, and therefore preferred, as the Transaction itself did not require Concealment, having been already avowed.

“ Although I am firmly persuaded that these were my Sentiments on the Occasion, yet I will not affirm that they were. Though I feel their Impression as the Remains of a Series of Thoughts retained on my Memory, I am not certain that they may not have been produced by subsequent Reflection on the principal Fact, combining with it the probable Motives of it. Of this I am certain, that it was my Design originally to have concealed the Receipt of all the Sums, except the Second, even from the Knowledge of the Court of Directors. They had answered my Purpose of publick Utility; and I had almost totally dismissed them from my Remembrance. But when Fortune threw a Sum in my Way of a Magnitude which could not be concealed, and the peculiar Delicacy of my Situation at the Time in which I received it, made me more circumspect of Appearances, I chose to apprise my Employers of it, which I did hastily and generally; hastily, perhaps, to prevent the Vigilance and Activity of secret Calumny; and generally, because I knew not the exact Amount of the Sum of which I was in the Receipt, but not in the full Possession: I promised to acquaint them with the Result as soon as I should be in Possession of it; and in the Performance of my Promise I thought it consistent with it, to add to the Account all the former Appropriations of the same Kind; my good Genius then suggesting to me, with a Spirit of Caution, which might have spared me the Trouble of this Apology, had I universally attended to it, that if I had suppressed them, and they were afterwards known, I might be asked, what were my Motives for withholding Part of these Receipts from the Knowledge of the Court of Directors, and informing them of the rest.

“ It being my Wish to clear up every Doubt upon this Transaction which either my own Mind could suggest, or which may have been suggested by others; I beg Leave to suppose another Question, and to state the Terms of it in my Reply, by informing you that the Indorsement on the Bonds was made about the Period of my leaving the Presidency in the Middle of the Year 1781, in order to guard against their becoming a Claim on the Company as Part of my Estate, in the Event of my Death occurring in the Course of the Service on which I was then entering.

“ This

" This, Sir, is the plain History of the Transaction. I should be ashamed to request that you would communicate it to the Honourable Court of Directors, whose Time is too valuable for the Intrusion of a Subject so uninteresting, but that it is become a Point of indispensable Duty ; I must therefore request the Favour of you to lay it at a convenient Time before them. In addressing it to you personally, I yield to my own Feelings of the Respect which is due to them as a Body, and to the Assurances which I derive from your experienced Civilities, that you will kindly overlook the Trouble imposed by it.

" I have the Honour to be,

Sir,

" Cheltenham,
the 11th July 1785.

Your very humble, and
Most obedient Servant,

" Warren Hastings."

The Managers for the Commons stated, They should next produce a Letter from William Larkins Esquire, Accountant General in Bengal, to the Chairman of the East India Company, dated Calcutta, 5th August 1786, containing that Account which Mr. Hastings said he could not furnish, but which he told them Mr. Larkins could furnish.

The Witnesses produced an original Paper.

The same was read, and is as follows :

" To William Devaynes Esquire, Chairman, or to the Chairman for the Time being, of the Honourable the Court of Directors of the United Company of Merchants of England trading to the East Indies.

" Sir,

Par. 1. " In conformity to the Directions which I had the Honour to receive by the Talbot, on the 28th April 1786, from my much-respected Friend Mr. Hastings, dated Cheltenham, 18th July 1785, I have the Honour to transmit you Copies of the Papers, which I kept as Memorandums of the Particulars of the Dates on which the Sums contained in Mr. Hastings's Account of 22d May 1782 were received.

2. " Should it ever be required of me to authenticate the Veracity of these Copies upon Oath, I shall at all Times be ready to afford that Solemnity to the Fidelity with which they have been made ; but it cannot be expected that I should at present, by voluntarily making this serious Appeal to the Omniscient, incur the Suspicion of wantonly prostituting such solemn Assurances with Indifference ; which is an Idea that would most probably be encouraged by those who were pleased to insinuate, in the Eleventh Report of the Select Committee of the House of Commons, that because there were other Modes, by which the Necessity of that which I did take on 16th December 1782, which accompanied Mr. Hastings's Letter of that Date, might have been precluded, yet, as these were not taken, my Affidavit merited little Credit in the Estimation of Mankind.—And that the Justice of this Insinuation may no longer be inferred, from my not having explained the Circumstances which, as I thought, rendered that Affidavit necessary, I shall now state them with the utmost Fidelity.

3. " Mr. Hastings returned from Benares to Calcutta on 5th February 1782 : At that Time I was wholly ignorant of the Letter which, on 20th January, he wrote from Patna, to the Secret Committee of the Honourable Court of Directors : The rough Draft of this Letter, in the Hand Writing of Major Palmer, is now in my Possession. Soon after his Arrival at the Presidency, he requested me to form the Account of his Receipts and Disbursements, which you will find journalized in the 280th, &c. and 307th Pages of the Honourable Company's General Books of the Year 1781-2. My official Situation, as Accountant General, had previously convinced me, that Mr. Hastings could not have made the Issues, which were acknowledged as received from him, by the Accounts of some of the Paymasters to the Army, unless he had obtained some such Supply as that which he afterwards, viz. on the 22d May 1782, made known to me ; when I immediately suggested to him the Necessity of his transmitting that Account which accompanied his Letter of that Date ; till when, the Promise contained in his Letter of 20th January had entirely escaped his Recollection.—The Particulars of the Paper N° 1 were read over to me, from a Bengal Paper, by his Banyan Cauntoo Baboo ; and, if I am not mistaken, the Three First Lines of that N° 2, were read over to me, from a Persian Paper, by his Moonshy. The Translation of these Particulars, made by me, was, as I verily believe, the first complete Memorandum that he ever possessed of them in the English Language ; and I am confident, that if I had not suggested to him the Necessity of his taking this Precaution, he would, at this Moment, have been unable to have afforded any such Information concerning them.

4. " The rough Draft of this Letter and Account having been made by Mr. Hastings, in my Presence, at his Garden House at Alleypore, I wrote the fair Copies of them. After these were signed by him, they were put into a Cover, directed by me, which he sealed up. I then took the Letter with me into Town, for the Purpose of being delivered to the Secretary, when the Close

of

of the Lively's Packet might be near at hand, not deeming it eligible to deliver it before, as I had known Instances of Letters that were delivered to the Secretaries any Length of Time before the Departure of a Packet, escape their Recollection at the Close thereof.

5. " On 21st August 1782, I was taken alarmingly ill, and when I was sufficiently recovered to be put into a Budgerow for the Change of Air, apprehensive that the Packet might be closed ere I returned to the Presidency, I sent the Letter by my Jemmautdar, with a verbal Message to Mr. Secretary Auriol, requesting that he would take care that it was put into the Lively's Packet; but Mr. Auriol not knowing that it was a Letter from the Governor General, declined taking charge of it for this Purpose, alledging that it was repugnant to the Standing Regulation of the Service, for any Servant to correspond with the Court of Directors, but through the Governor General and Council. I was at this Time unable to write, and not having then any Person about me, who could have wrote what I dictated, I sent the Letter by my Jemmautdar to Mr. George Nesbitt Thompson, Mr. Hastings's Private Secretary, with the same Request as that by which it had been rendered to Mr. Auriol; I returned to Calcutta on 13th December 1782, and immediately suggested to Mr. Hastings the Necessity of his accompanying this Letter with the Affidavit which I took before Mr. Justice Hyde, and a Letter explanatory of the Apprehensions which suggested this Precaution.

6. " Upon referring to the List of Packet sent by the Resolution, it will be found to have been dated on 9th May 1782: And although the Public Department Proceedings of the 30th May will be found to state, that the Commander reported, in a Letter dated 26th of that Month that his Dispatches had been delivered to him, but that he could not proceed to Sea until he had replaced the Anchors and Cables which he had lost, there will not, I believe, be found any Letter or Paper, transmitted either to the Honourable Court, or to their Secretary, either by the Governor General and Council, or by either of their Secretaries, of a later Date than that of 9th May 1782, when I had not been made acquainted with the Transaction alluded to in Mr. Hastings's Letter of 20th January 1782: And although the Statement of 22d May 1782 might have been deemed in 1783 " a new Discovery," yet it will appear, that the Second Article of it had been communicated to the Secret Committee of the Honourable Court of Directors on 29th November 1780, and that the last Article of that Statement had been reported to them on 20th January 1782. The First of these Dates will, I believe, be found prior to the Institution of any Parliamentary Enquiry into the Transactions of the Governor General and Council, and the last of them will also be found to be prior to any of the Resolutions of the House of Commons that were passed, which affected Mr. Hastings; and it cannot require an Argument to prove, that it was not possible for him to have known in Bengal, what had not passed in England a Month, when I recommended the Formation of that Account and Letter which were wrote on 22d May 1782, when we had every Reason to suppose that the Resolution had taken her Departure; but had it been known that there was an Opportunity of writing by her, yet, as that Ship was so badly manned, she was not likely, at so unfavourable a Season of the Year, to make any other than a very tedious Passage, and as we were then in daily Expectation of the Maratta Treaty arriving from Mr. Anderson, when it was intended to dispatch a Packet to England, I certainly should not have advised Mr. Hastings to transmit any such Papers by her, unless I could have foreseen that Necessity, which did not occur until after the Resolutions of the House of Commons of 15th April 1782 had become known in Bengal, when the Affidavit became necessary; but which could not have been the Case, had the Letter of 22d May 1782 been previously transmitted, either by the Resolution or by any other Conveyance; since it could not have been required to prove what had already been established.

7. " While Mr. Hastings filled the Station of Governor General, I had too much Reason to apprehend that any Explanation which I could have given of these Circumstances, whatever might have been the Solemnity of the Assurances under which they could have been given, would have been attributed to the most abandoned, as well as the most selfish Motives; and it is only upon the Confidence which I deem myself entitled to place upon the Estimation in which my Character has hitherto been held, during the Fourteen Years that I have had the Honour to serve the Honourable Company, Nine of which have been passed in executing the Duties of One of the most important Offices under this Government, that I can venture to incur the Suspicion of having sacrificed the Duty which I owe to my Honourable Employers, and to my own Character, to Motives of Gratitude for one who was my Patron, by attempting to refute the implacable Reflections that affect my Character in the Fifth Page of the Eleventh Report of the Select Committee of the House of Commons.

8. " I shall now proceed to state the Explanations which are required to elucidate the Correspondence between the Papers No. 1 and 2, which accompany this Address, and Mr. Hastings's Account of 22d May 1782.

9. " Although the Two first stated Sums are, in the Paper marked N^o 1, asserted to have been paid to Mr. Croftes in 18th and 19th Assin 1187, which corresponds with the 1st and 2d November 1780; yet the Copy of the Bengal running Treasury Account, which is now in England, will not be found to contain any such Sums as received from Mr. Hastings under these Dates; because these, together with another Sum of Sicca Rupees One Lack, which were taken from his own Cash at that Time, made up the first Supply that was sent to the Maratta Army under

Chimnagee Boolla, which the Sub-Treasurer could not bring to Account, until he was authorized by an express Order of Council upon the Treasury for that Purpose, which was not granted until 5th January 1781; after which, viz. on 15th of that Month, the Head of Secret Service was debited for the Amount of that Supply, and the Head of Money borrowed at Interest 1780, credited for these Sums, for which the Bonds N^o 1539, dated 1st October 1780, and N^o 1540, dated 2d October 1780, each for the Sum of Current Rupees 1,16,000, or Siccas One Lack, were granted. The Remainder of that Amount was carried to the Credit of the Head of Four per Cent. Remittance Loan; Mr. Hastings having taken a Bond, N^o 89, which has been since completely liquidated conformable to the Terms of that Loan.

10. "The Third Sum contained in Mr. Hastings's Account, for which the Bond N^o 1354, dated 23d November 1780, for Current Rupees 1,74,000, or Siccas 1,50,000, was granted, was for the Payment stated in the Paper N^o 1 to have been made to Mr. Croftes on 11th August 1787, which corresponds with 23d November 1780.

11. "The Fourth Sum stated in Mr. Hastings's Account was the Produce of sundry Payments made to me, by Sadamund, Cheyte Sing's Buxey, who either brought or sent the Gold Mohurs to my House, from whence they were taken by me to Mr. Croftes's, either on the same Night or early in the Morning after; they were made at different Times, and I well remember that the same People never came twice.

12. "On 21st June 1780, Mr. Hastings sent for me, and desired that I would take charge of a Present that had been offered to him by Cheyte Sing's Buxey, under the Plea of atoning for the Opposition which he had made towards the Payment of the extra Subsidy for defraying Part of the Expences of the War; but really in the Hope of its inducing Mr. Hastings to give up that Claim; with which View the Present had first been offered. Mr. Hastings declared, that although he would not take this for his own Use, he would apply it to that of the Company, in removing Mr. Francis's Objections to the Want of a Fund for defraying the extra Expences of Colonel Camac's Detachment.

13. "On my Return to the Office, I wrote down the Substance of what Mr. Hastings had said to me, and requested Mr. James Miller, my Deputy, to seal it up with his own Seal, and write upon it that he had then done so at my Request. He was no further informed of my Motive for this, than merely that it contained the Substance of a Conversation which had passed between me and another Gentleman, which, in case that Conversation should hereafter become the Subject of Enquiry, I wished to be able to adduce the Memorandum then made of it, in corroboration of my own Testimony; and, although that Paper has remained unopened to this Hour, and notwithstanding that I kept no Memorandum whatever of the Substance thereof, yet, as I have wrote this Representation under the most scrupulous Adherence to what I conceive to be Truth, should it ever become necessary to refer to this Paper, I am confident that it will not be found to differ materially from the Substance of this Representation.

14. "As this Present passed through my Hands, called upon as I was by the Person for whom it was destined, and who requested me to receive it for the Purpose of being applied to the Honourable Company's Use, I conceived it was incumbent upon me to relate circumstantially the Part which I had taken in the Transaction.

15. "The Fifth Sum mentioned in Mr. Hastings's Account, is the Amount of the Payments stated by the Paper N^o 1 to have been made to Mr. Croftes on 15 and 16 Bylack 1188, and will be found credited for, in the Copy of the Bengal running Treasury Account, now in England, under 26th April 1781, which corresponds with 16th Bylack 1188; and as it will be found to have been mostly made in Silver, it must have taken up more than One Day to count, as the Soucars at the Treasury seldom can count more than One Lack of Sicca Rupees in One Day; of course, the whole Payment was brought to Account on the Date on which it was completely made.

16. "The Sixth Sum stated in Mr. Hastings's Account appears, by the Paper N^o 2, to have been received of Nundoolol, and may, I should suppose, be considered as a Part of the Balance of the Peshcush of Dinagepore, which is stated in the Paper N^o 1, at Siccas 1,00,000 which would consequently become reduced to 50,000—but this was an Alteration which I did not chuse to make, that I might be enabled at all Times to swear that these Papers have continued in their original State.

17. "The Dates on which this Payment was made to Mr. Hastings, as well as those made in Part of the Produce of the Presents enumerated in the Paper N^o 2, are stated the same in the 280th and 281st Pages of the Honourable Company's General Journal of 1781-2, as they are brought to Account in Mr. Hastings's private Books; but as neither of the other Sums passed through his Hands, these contained no such Specification, and consequently could not enable him to afford the Information with which he has requested me to furnish you; and it is more than probable, that if the Affidavit which I took on the 16th December 1782, had not exposed my Character to the Suspicion of my being capable of committing one of the basest Treipasses upon the Confidence of Mankind, I should, at this Distance of Time, have been equally unable to have complied with his Request; but after I became acquainted with the Insinuation suggested in the Eleventh Report of the Select Committee of the House of Commons, I thought it but too probable, that, unless I were possessed of the original Memorandums which I had made of these

Transactions at the Time when I became acquainted with them, I might at some distant Period be unable to prove that I had not descended to commit so base an Action.—I have, therefore, always most carefully preserved every Paper which I possessed regarding these Transactions.

18. " Although Mr. Hastings was extremely dissatisfied with the Excuses which Gunga Govind Sing assigned for not paying Mr. Croftes the Sums stated by the Paper N^o 1 to be in his Charge, he never could obtain from him any further Payments on this Account.

19. " Conscious that the Concern which I have had in these Transactions need neither an Apology nor an Excuse, and that I have in no Action of my Life sacrificed the Duty or Fidelity which I owed to my Honourable Employers, either to the Regard which I felt for another, or to the Advancement of my own Fortune, I shall conclude this Address, firmly relying upon the Candor of those before whom it may be submitted, for its being deemed a satisfactory as well as a circumstantial Compliance with the Requisition in conformity to which the Information it affords has been furnished, without which it would have been as base as dishonourable for me spontaneously to have afforded it; for though the Duty which every Man owes to himself should render him incapable of making an Assertion not strictly true, no Man actuated either by virtuous or honourable Sentiments could mistakenly apprehend, that unless he betrayed the Confidence reposed in him by another, he might be deemed deficient in Fidelity to his Employers.

I have the Honour to be, with the utmost Respect, Sir,

" Calcutta,
5th August 1786.

Your most obedient humble Servant,
(Signed) W^m Larkins."

" NO. I. D U P L I C A T E.

" COPY of the Particulars of the Dates on which the component Parts of sundry Sums included in the " Account of Sums received on the Account of the Honourable Company by the Governor General, or paid to their Treasury by his Order, and applied to their Service," were received for Mr. Hastings, and paid to the Sub-Treasurer.

" D I N A G E P O R E.

" From 29 to 31 Sanwun 1186	—	—	89,999	0	0
17 to 21 Bhaudun	—	—	49,974	0	0
1 to 5 Affin	—	—	27,000	0	0
8 Poofe	—	—	25,000	0	0
10 —	—	—	15,000	0	0
27 —	—	—	10,000	0	0
29 Maug	—	—	20,000	0	0
2 Faugun	—	—	20,000	0	0
4 —	—	—	9,000	0	0
12 —	—	—	1,000	0	0
9 Saurvum	—	—	40,000	0	0
			<hr/>		
			3,06,973	0	0
18 and 19 Affin, paid Mr. Croftes	—	—	2,00,000	0	0
			<hr/>		
			Remains	—	1,06,973 0 0
			Charges	—	9,310 0 0
			<hr/>		
Balance in Charge of G. G. S.			—	97,663	0 0

" P A T N A.

12 Cheite	—	—	15,000	0	0
18 —	—	—	10,000	0	0
22 —	—	—	60,000	0	0
23 —	—	—	5,000	0	0
23 —	—	—	10,001	0	0
28 —	—	—	60,000	0	0
10 Byfack	—	—	10,000	0	0
10 —	—	—	26,000	0	0
12 to 14 —	—	—	20,000	0	0
14 —	—	—	4,000	0	0
2 Affin	—	—	1,800	0	0
			<hr/>		
			2,21,801	0	0
15 and 16 Byfack, paid Mr. Croftes	—	—	2,00,000	0	0
			<hr/>		
Balance			—	21,801	0 0

" N U D D E A :

15	Cawtic 1187,	—	16,001	0	0	
27	—	—	20,000	0	0	
28	—	—	20,000	0	0	
30	—	—	10,000	0	0	
4	Augun	—	7,749	0	0	
7	—	—	5,000	0	0	5,000 too much.
9	—	—	25,000	0	0	
	No Date	—	1,250	0	0	
24	Augun	—	15,000	0	0	
17	Poolé	—	15,000	0	0	
22	—	—	20,000	0	0	
				1,50,000	0	0
11 Augun, paid to Mr. Croftes				1,50,000	0	0

Paid to Mr. Croftes :

19	Affin	2,00,000
16	Byfack	2,00,000
11	Augun	1,50,000
		5,50,000

" Memorandum of the Cabooliats attended to in the above.

	Cabooliats.	Received.	Balance.
Dinagepore Peishcush	4,00,000 0 0	3,00,000 0 0	1,00,000 0 0
Nuddea	1,50,000 0 0	1,50,000 0 0	
Patna	4,00,000 0 0	2,00,000 0 0	2,00,000 0 0

(A true Copy).

(Signed)

" W^m Larkins.
5th August 1786."

"No. II. D U P L I C A T E.

" Copy of the Particulars of the Presents taken from the Nabob Vizier and his Ministers, and from Nundoo Delol, carried to the Honourable Company's Credit, in the Account of the Receipts and Disbursements of the Governor General, during his Absence from the Presidency, on a Visit to the Northern Provinces, and included in Mr. Hastings's Account of 22d May 1782. (a)

The Managers for the Commons stated, they would next proceed to shew, how many of the Bills produced in Evidence were realized in the Months of October and November 1781; and how many were realized before the End of January 1782; for which Purpose they desired Mr. Wright, the Accountant of the East India Company, might be called.

Accordingly Mr. WRIGHT was called in; and, being sworn, was examined as follows :

Q. What is that you have in your Hand?

A. The general Journal of Accounts of Bengal for the Years 1781 and 1782.

(a) Vide Appendix, N° CXXXI.

Read,

Read, the following Extract from the same Book, beginning at Page 280.

" Fort William, April 1782.

" The Honourable the Governor General D^r to sundry Accounts, C. R^t 15,22,746 : 1 : 5
 " Being the Amount received by him on the following Accounts :

" To Charges Durbar.

" Received from the Treasury on this Account, in June 1781, as per Journal,

Page 113	—	—	52,200 : 0 : 0
D ^r in August 1781	—	—	58,000 : 0 : 0
Received in October 1781	65,778	: 0 : 0	
D ^r in November	—	2,43,236 : 9 : 0	
D ^r in December	—	1,93,613 : 15 : 3	
D ^r in January 1782	—	4,59,726 : 5 : 3	
D ^r in February	—	224 : 0 : 0	
D ^r in March	—	67,696 : 3 : 9	
	—	—	10,30,275 : 1 : 3
			10,88,275 : 1 : 3(a)

Then the Witness was asked ;

Q. Do you know any thing of the Appropriation of the Money so entered in these Accounts ; have you looked into the Books of the Company ; and do you from thence know of any other Documents which bespeak the Application of this Money ?

A. The Application of the Sums of Money so received is given in Page 282 to 286 of the same Journal.

Q. Refer to them.

A. The first Sum for which the Governor General has Credit, is under the Head of Durbar Charges, which is contained in Pages 282 to 304, amounting to 1,79,938 Rupees.

Q. How much is the whole Amount of the different Items ?

The Witness, in answer, read the following Extracts, beginning at Page 304 of the same Book.

" Fort William, April 1782.

" Post Office Charges	—	—	—	—	1,793	13	9
" Secret Services	—	—	—	—	56,000	0	0
" Charges Extraordinary	—	—	—	—	2,111	3	9
" Dead Stock	—	—	—	—	342	5	4
" Nabob Afoph ul Dowlah	—	—	—	—	15,113	4	9
" Military Paymaster General	—	—	—	—	4,69,728	0	0
" Resident at Benaris	—	—	—	—	4,25,639	3	2
" Money borrowed at Benaris	—	—	—	—	2,27,459	8	9(b)

Then the Witness was asked :

Q. (by a Lord). Does the Date of these Applications appear ?

A. No—The Whole is brought to Account in the Month of April 1782.

Q. (By a Lord). How does it appear that they are Applications to the publick Service of those Sums specified in the former Articles you read ?

A. The Title of the Entry which I have just read is this : " Sundry Accounts, 15,22,746 : 1 : 5 Rupees, being the Amount disbursed by him on the following Accounts ;" and then the different Heads are inserted.

Q. I understand from you, that the Discharge appears by the same Book by which the Charge appears.

A. Yes.

The Witness was directed to withdraw.

The Managers for the Commons stated, they should next produce a Letter from Mr. Hastings, dated the 14th of March 1787, to shew that Mr. Hastings made the Account, given by Mr. Larkins, his own.

The Witness produced a Paper indorsed as follows : " 14th March 1784. Letter from W. Hastings Esq. inclosing one to him from William Larkins Esq. dated the 5th August, read in Court the 15th March 1787."

(a) Vide Appendix, N^o CXXXII.

(b) Vide Appendix, N^o CXXXIII.

The same was read as follows.

“ To the Honourable Court of Directors of the Honourable United Company of Merchants of England trading to the East Indies.

“ London, 14th March 1787.

“ Honourable Sirs,

“ I do myself the Honour to transmit to you a Letter written to me by Mr. Larkins, your Accomptant General of Bengal, which accompanied the Letter addressed by him to your Chairman, and directed to William Devaynes Esq. or the Chairman for the Time being. The latter was, immediately after the Receipt of it, conveyed by the Hands of a Friend to your present Chairman John Michie Esq. and I should have sent the former with it, had it then appeared to me, as I since conceive it, intended for your Perusal.

“ I flatter myself that the Explanations given by Mr. Larkins are satisfactory to your Honourable Court, and that they contain a complete Reply to your Commands, transmitted to Bengal by the Surprize, in April 1784. If further Explanations are necessary, I shall have great Pleasure in replying to such other Questions, as your Honourable Court may be pleased to ask, either upon this, or upon any other Subject that arose during my Administration.

“ I have the Honour to be, with the greatest Respect,

Honourable Sirs,

Your most obedient, and most

faithful Servant,

Warren Hastings.”

“ (D U P L I C A T E .)

“ Calcutta, 5th August 1786.

“ Sir,

“ In Compliance with the Requisition contained in the Letter which I had the Honour to receive from you by the Talbot, on 28th April 1786, dated, “ Cheltenham, 18th July 1785,” I have now the Pleasure to transmit to you a Letter, &c. addressed to the Chairman mentioned in your Letter, or to the Chairman for the Time being, explanatory of the Copies of the Papers which I kept as Memorandums of the Dates, Sums, &c. alluded to in the Account which accompanied your Letter to the Secret Committee of the Honourable Court of Directors of 22d May 1782.—I conceive this to be the most eligible Mode of complying with your Request, as it was not transmitted to me through the Chairman.

As the Affidavit which I had taken on a former Occasion had been commented upon in the Fifth Page of the Eleventh Report from the Select Committee of the House of Commons, so as to excite a Suspicion of my being capable of perjurying myself, I could not but deem it necessary to refute these Insinuations ere I proceeded to afford * other Assertions in regard to the same Transactions.—I have done this in the accompanying Address, detailed those Circumstances which produced the Necessity of the Affidavit; and trust that I have performed this Commission as much to your Satisfaction as to my own Justification.

* Sic in Orig.

I have the Honour

with the utmost Respect, Esteem, and Regard,

Sir,

Your much obliged,

and very affectionate

and faithful Friend,

W^m Larkins.”

“ Warrer

The Matter
of the Charge.

Commons stated, they should next proceed to another Branch

Then the House adjourned to the Chamber of Parliament.

Die Martis, 23^o Februarii 1790.

THE Lords being in their Places, the House resumed, the usual Proclamations made, and the Defendant appearing at the Bar, the Lord Chancellor acquainted the Managers for the Commons, they might proceed with their Evidence.

The Managers for the Commons informed the House, That in order to establish the whole Extent of what they conceived to be the Guilt of the Defendant, it would be necessary for them to produce Evidence of what were the Modes of administering the Revenues of that Country prescribed to Mr. Hastings by the Company; what his own Opinion of those Modes was; and to shew, that for corrupt, and wicked Purposes, he overturned those Establishments, and appointed others in their Stead: That they should proceed therefore to produce an Extract of a General Letter to Bengal, dated 7th April 1773.

The Counsel for the Defendant objected to the Production of this Letter for the Purposes above mentioned, there being, in the Article now before the House, no Charge against Mr. Hastings for overturning the Establishments in question for the Purposes of Corruption.

The Managers for the Commons were heard in Answer; and stated, That the same was specifically charged in the Seventh Article.

The Letter was ordered to be read.

Read, from Book 176, already delivered in, the following Extract of a General Letter from the Court of Directors to the President and Council at Fort William in Bengal, dated London, 7th April 1773, beginning at Page 555 of the same Book.

Par. 45. "As the sending our junior Servants into the Provinces as Supravisors, has not been attended with the wished-for Success, but has enabled them to monopolize the whole Trade of the Country, we therefore direct, That they may be withdrawn as soon as possible; and we leave it to you to substitute some other Plan for making yourselves acquainted with the exact Value of every District, and for giving Relief to the Inhabitants, till we shall be able to send you complete Regulations for conducting this important Branch of our Affairs, which we have now under Consideration.

Per Harcourt, *
Egmont.

(Signed at the End)

" J. Hurlock,	L. Sullivan,
George Tatem,	Ja. Cockburn,
Edw ^d Wheler,	Jn ^o Michie,
Tho ^r Rumbold,	Henry Fletcher,
J. Manship,	Pet. Lascelles,
Joshua Smith,	Tho ^r Dethick,
H ^r Crabb Boulton."	Cha ^r Boddam,

The Managers for the Commons stated, They should next produce the Plan that was formed in consequence of the Orders just read.

Read,

Read, from Book 215 already delivered in, the following Extract of a Consultation of the 23d November 1773, beginning at Page 3651 of the same Book.

“ Fort William, the 23d November 1773.

Rev. Dept.
Tuesday.

“ At a Consultation; Present,
The Honourable Warren Hastings Esquire, President;
William Aldersey,
Philip Milner Dacres,
James Lawrel,
Henry Goodwin,
John Graham,
George Vansittart, } Esquires.

Plan for the
future Ma-
nagement of
the Revenues
of Bengal and
Bahar.

“ The Board having at several Meetings, since the Receipt of the Harcourt's Advices, debated on the various Means which occurred to them for carrying into Execution the Intentions of the Honourable Court of Directors, for the future Controul and Management of the Revenue, and for the Removal of the Collectors from their Stations; and having maturely considered and weighed all the Consequences which may attend every Measure that may be adopted, are of Opinion, that the immediate Removal of the Collectors, or the Establishment of any consistent and permanent System, without such preparatory Measures as might prevent the bad Consequences of too sudden a Change, and gradually introduce a more perfect Form of Superintendancy, would be hazardous to the Collections, and bring at once a greater Weight of Business on the Members of the superior Administration than they could possibly support.

“ On these Grounds they do propose the following Plans for a future Establishment, to be adopted and completed by such Means as Experience shall furnish, and the final Orders of the Honourable Company shall allow.

“ 1st. That the Districts which form the present Collectorships shall remain with such Variations as shall render them more easy of Controul, and more subservient to the general System.

“ 2d. That each District be superintended by a Dewan or Aumil, except such as have been let entire to the Zemindars, or their responsible Farmers, who shall in such Case be invested with that Authority.

“ 3d. That a Committee of Revenue be formed at the Presidency, which shall consist of Two Members of the Board, and Three senior Servants below Council, for conducting the current Business of the Collections, in the Manner following:

“ 4th. The Committee shall meet daily; they shall form Resolutions and Orders for the current or ordinary Business of the Districts, and prepare weekly or monthly a separate State of each District, an Account of the Demands, Receipts, and Balance of each District, and a Report of such extraordinary Occurrences, Claims, and Proposals, as may require the Orders of the superior Council, which are to be laid before them in their Revenue Department.

“ 5th. The Dewans shall correspond with the President of the Committee, and the Royroyan, and send their Bills, Chelans, and Accounts to them; these shall be registered in the proper Offices of the Khalsa, and such Translations and Abstracts made of them as shall be necessary for the Inspection of the Committee.

“ 6th. All Orders to the Dewans shall be translated and written in the Name of the President of the Committee, and the Royroyan, to be sealed with the Seal of the * Calśa, and signed by them.

* Sic in Orig.

“ 7th. Occasional Commissioners or Inspectors shall be deputed to visit such of the Districts as may require a local Investigation.—These shall be chosen from the Company's covenanted Servants, not by Seniority, but by the free Election of the Board; they shall be Men qualified for this Trust, by a Knowledge of the Persian or Indostan Language, and by a Moderation of Temper.—An Objection made by a single Member of the Board to any Person proposed, as wanting of these Requisites, shall be a sufficient Bar to his Appointment, without Proofs being required to support it.” (a)

Read, also, a further Extract from the same Consultation, beginning at Page 3655 of the same Book.

11th. “ For the Means of carrying the above Plan into Execution, in such a Manner, and at such Times as may be found most convenient for effecting the Purposes intended by it; and preventing the ill Consequences to which the Collections would be exposed by an unprovided and precipitate Innovation—Resolved, that the following Plan be immediately adopted, to be, and to be declared to be, only for a temporary Purpose, and introductory to the foregoing.

“ 1st. The Provinces to be formed into the following Grand Divisions.

“ 2d. First Grand Division to be managed at Calcutta, and to consist of, the Calcutta Pergunnahs, Houghly Hedgelee, Mysadel, Tumlook, Nuddea, Jessore, Mahmudthy, with the Talucs of Contoonagur, &c. and all Lands belonging to Persons of Credit, whose constant Residence is in Calcutta. But this is meant only of Lands which are their own Property, not of such as

(a) Vide Appendix, N^o CXXXIV.

they may farm or be Security for; and even in these, the Administration of Justice must rest entirely with the Provincial Council in whose Division they may be situated.

" 3d. Second Grand Division to be managed at Burdwan, and to consist of, Burdwan, Midnapore, Bissenpore, Patchaet, Beerbhoom, Ramgur, &c. Districts, under the Management of Captain Carnac.

" 4th. Third Grand Division to be managed at Moorshedabad, and to consist of, Rajshahi Eastern and Western Divisions, Rockunpore Collectorship, Chunnacolly ditto, Luthkerpore ditto, Jehangirepore ditto, Caus Talooks, Rajemahl and Boglepore, including the Annexation lately made to the latter from Mongheer Currickpore, Jungleterty, and Districts under the Management of Captain Brook.

" 5th. Fourth Grand Division to be managed at Dinagepore, and to consist of, Dinagepore Silberries Purnea, Rungpore, Edsackpore, Baharbund, Toch Beyhar Rangamally.

" 6th. Fifth Grand Division to be managed at Dacca, and to consist of, Dacca, Sylhet, Attya Cogmary, Burbazzoo.

" 7th. Sixth Grand Division to be superintended by the present Chief and Council at Patna, and to consist of the whole Province of Bahar, excepting the separated Districts of Mongheer, &c. as above mentioned.

" 8th. The Districts of Chittagong and Tippurah to remain on their present Footing, under the Management of a Chief.

" 9th. A Committee of Revenue to be instituted at Calcutta for superintending the First Grand Division, to be composed of Two Members of Counsel, and Three Senior Servants, under them a Secretary, a Persian Translator, an Accountant, and Five Assistants.

" 10th. Councils of Revenue to be formed for superintending the 2d, 3d, 4th, and 5th grand Divisions, to be composed of a Chief and Four Senior Servants, under them a Secretary, a Persian Translator, an Accountant, and Three Assistants." (a)

Read, also, a further Extract from the same Consultation, beginning at Page 3665 of the same Book.

" It being the professed Intention of the Board to make the Plan now adopted subservient to that which they propose for a future and perpetual System, it is their further Design, that whenever the Accounts and Arrangements of any One Division shall be so regulated and compleated as to enable them to bring the Controul down to the Presidency, the Provincial Council shall be accordingly withdrawn, and either continue to conduct the Business of the Division at the Presidency, or transfer it at once to the Committee. By such progressive Method an easy Change may be effected without the smallest Hazard of any Loss or Embarrassment, at the same Time that a Provision is made for the Admission of such other Improvements as the Honourable Court of Directors may enjoin, and which would either be precluded by any other Mode, or the new Measures which may have been established must be abolished to make Room for them, which would Occasion fresh Perplexities in the Revenue, and fill the Minds of the People with Apprehensions of perpetual Changes.

" It has been already remarked, that the great Weight of Affairs with which the Administration is already loaded, will not admit of the immediate Introduction of the proposed System, and it is possible that it may still remain a Charge too great for One Body to manage, even with all the Regularity which Time and Experience can give it; but if it should be found so, the Collection will be better conducted at the Presidency by the same Provincial Councils, under the present Inspection of the superior Council, than under the same Controul within the Districts, because of the dangerous Abuse which may be made of the personal Influence of the Members composing those Provincial Councils, and resident within their Divisions; neither will their Business suffer by the Distance of their Situation, except only in the Case of extraordinary Investigations, which may require the Presence of Individuals, or the Inspection of Mofussit Papers.

" The Allowance which is proposed by the 24th Article for the Members of the Council, of 3,000 Rupees to each per Month, will amount when the Board is complete to 36,000 per Month, or 4,32,000 per Annum.—It is proposed that this Sum be paid from a Fund to be raised from the Trade of Ophium*, as resolved on this Day's Proceedings. It will be a reasonable Compensation for the Loss which the Members of the Superior Council may be supposed to sustain by being excluded from every Benefit of Trade, which they could not exercise, however disposed in themselves, without some Degree of Oppression. They will have more Leisure to attend to the Duties of their Stations, and the Chiefs of the Provincial Councils will be more at Liberty to check and correct any Irregularities of others, being under no Restraint on account of their own private Concerns.

" If it can be supposed that Men of the first Distinction in the Service, having accepted of such a Compensation, should, notwithstanding, so far forget the Principles of Fidelity and Honour, as to engage in any Concerns contrary to this Prohibition, the Jealousy of their Councils will prove an effectual Bar to such a Design, unless they should agree in a Collusion with them, which it would be impossible to conceal. The Confidence which our Employers have generously reposed in our Attachment to their Service, renders it more particularly our Duty to express our Senti-

(a) Vide Appendix, N° CXXXIV.

ments on a Subject of such Importance without Reserve, although our Declarations may admit of a Misconstruction against ourselves as Men. The Servants of the Company are not exempted from the Frailties and Wants of Humanity. If allowed the Liberty of Trade while they possess an unbounded Power, (and who shall bind those who constitute the Government itself?) their Trade will be a Monopoly and an Oppression.—If forbidden to trade without some Reparation for the Loss, and some allowed Means of acquiring a Livelihood, and even the Prospect of a Competency, the feeble Words of a publick Edict will not hold them, but they will, with little Scruple, break through them, and obtain those Ends by unallowed Means, because they will think that a Decree which imposes upon them the Necessity of perpetual Penury could not have been really intended for their rigid Observance; such having been, in many Instances, the fatal Practice of this Service.—We say fatal, because Laws and Restrictions which have no Coercion, and bear too hardly on the Passions for the common Sufferance of Mankind, inevitably defeat their own Purpose; they become totally disregarded, nor is it deemed an Impeachment of Morality to transgress them. And it is a Consequence as infallible, that when Men are once allowed to pass the Line of their proscribed Duty at their own Option, they will, by Degrees, extend the Latitude to the furthest Extremes of Corruption, Embezzlement, and Rapine.

Signed at the End of the Consultation,

“ Warren Hastings,
W. Aldersey,
P. M. Dacres,
James Lawrell,
H. Goodwin,
J. Graham,
George Vansittart.” (a)

The Managers for the Commons stated, They should next proceed to shew that the above Plan was approved of by the Court of Directors; and their Orders, That if any new Plan should be necessary to be formed, it should be previously transmitted to the Company for their Approbation.

Read, from Book 58, already delivered in, the following Extract of a General Letter from the Court of Directors to the Governor General and Council at Fort William in Bengal, dated the 3d of March 1775, beginning at Page 459 of the same Book.

Par. 73. “ The Division of the Provinces into Six large Districts, as settled by the Council of Revenue, appears to us a judicious Arrangement; but as our Governor and Council have declared it only a preparatory Measure to a more permanent System, we must leave the Accomplishment of such System to your Judgment and Prudence, subject however to our final Approbation or Disallowance.

(Signed at the End)

“ George Tatem,	Edw ^d Wheler,
Pet. Lafcelles,	John Harrison,
Joseph Sparkes,	Jn ^r Woodhouse,
John Smith,	W ^m James,
W. G. Freeman,	Fred. Pigou,
R ^d Hall,	T. B. Rous,
J. Stables,	Chas ^r Boddam.”

Read, from Book 108 already delivered in, the following Extract of a General Letter from the Court of Directors to the Governor General and Council, at Fort William in Bengal, dated London, the 5th April 1776, beginning at Page 133 of the same Book.

Par. 11. “ We for the present confirm the Appointments of Your subordinate Councils of Revenue, with their Salaries and Allowances for House Rent, as stated on your Proceedings. But we recommend it to you to consider attentively, whether those Boards are capable of answering the Purposes intended by their Institution; and particularly, whether by a constant Residence in any Part of a District, so large as those into which the Provinces are now divided, they * they will be able so to superintend the Objects committed to their Care, as to prevent the Company's Revenues from suffering improper Diminution, and the Natives from being oppressed by undue Exactions.

(Signed at the End)

“ Fred ^r Pigou,	John Harrison,
Henry Savage,	John Roberts,
H. Fletcher,	Jas ^r Moffat,
W. Devaynes,	Edw ^d Wheler,
Jn ^r Michie,	Nath ^l Smith,
W ^m James,	John Woodhouse,
Rob ^t Gregory,	J. Stables.”

Read, the following Extract of a Letter from the Court of Directors to the Governor General and Council, at Fort William in Bengal, dated London, 5th February 1777, beginning at Page 408 of the same Book.

Par. 19. " If you are fully convinced that the Establishment of Provincial Councils has not answered, nor is capable of answering the Purposes intended by such Institution, we hereby direct you to form a new Plan for the Collection of the Revenues, and to transmit the same to us for our Consideration." (a)

The Managers for the Commons stated, They should next proceed to shew, that Mr. Hastings continued his Approbation of his own Plan.

Read, from Book 216 already delivered in, the following Extract of a Consultation of the 25th October 1774, beginning at Page 7 of the same Book.

" Fort William, the 25th October 1774.

" At a Council; Present,
 " The Honourable Warren Hastings, Governor General, President;
 Lieutenant General John Clavering,
 The Honourable George Monlon,
 Richard Barwell, } Esquires.
 Philip Francis, }

Secret Dept.
 Tuesday.

" The General Mode which is at this Time established for the Management of the Collections, is as follows:—The Provinces are formed into Six Divisions, each comprehending several inferior Districts, under the Direction of a Chief and Council; these receive their Orders from the Board at large, and report to them their Proceedings in a separate Department, called " A Council of Revenue;" and for the greater Facility of dispatching Business with the Inhabitants, and for the Preservation of the ancient Forms and Rules of Office, a Dewan, or Minister of the Revenue, is appointed to each Division, who is joined to the Provincial Council, and keeps all the Accounts and Records of the Country Languages: Native Superintendants are also appointed to each District of the Provincial Divisions, with the Title of Naibs, and correspond with the Provincial Councils and Dewans. The Dewans also transmit their Accounts and Proceedings to an Office of ancient Institution, lately transferred from the City of Moorshedabad to Calcutta, named " The Khalta," which is under the Charge of an Officer, intitled, " The Royroyan," who occasionally sits at the Meetings of the Council of Revenue, and is the Channel of Communication between the Board and the Dewans, transmitting to the latter the Counterparts of the Orders of the Board which are sent to the Provincial Councils, and receive their Answers. The Exceptions to this general System are the Province of Chettagong, which, from its remote Situation, and small Revenue, has been left under the single Charge of the Chief of the Factory and the Districts of Pallamow and Ramgur under Captain Carnac, and of the Jungulterry of Curruckpore, &c. under Captain Brown. These may be properly termed Military Collectorships. They are composed of the wild and mountainous Parts of the Country, which have been lately reduced to a State of Submission to Government, and require the continual Presence of a military Force to keep them in Subjection. The Revenue which they yield is inconsiderable; but the Possession of them is a Security to the Peace of the cultivated and more civilized Lands in their Neighbourhood, which, till their Reduction, were continually exposed to the Ravages of the wild and lawless People inhabiting them. With these military Collectors the Correspondence was carried on by the Governor only; but according to the Instructions now received from the Company, it seems requisite that it should in future be conducted by the Council at large.

" The Plan of the general Establishment for conducting the Revenue, and the Records explaining the Appointment, Object, and Progress, of the military Collectorships, will be found in the following Consultations and Papers." (b)

Read, also, a further Extract from the same Consultation, beginning at Page 10 of the same Book, as follows.

" I must beg Leave to conclude this Subject with earnestly offering my Advice for the Continuation of this System in all its Parts, with such Alterations only as the late Change in the Government has rendered indispensibly necessary. Innovations are always attended with Difficulties and Inconveniences: Innovations in the Revenue, with a Suspension of the Collections, and a Change, at this Season of the Year, would be particularly dangerous, as the Time of the heaviest Payments is now approaching. For the same Reason, your speedy Determination upon the future Mode of managing and collecting the Revenues would prove of essential Service.

" The Court of Directors have been advised of the Formation of this Establishment, in Consequence of the Orders transmitted to us in their Letter of the 7th April 1773; and we may shortly hope to be furnished with their final Determination concerning it. I must likewise recommend the Continuance of the Separation which was originally made of the Revenue Department from the other Offices of the Government, as the only Means by which it can be regularly conducted;

(a) Vide Appendix, N° CXXXV.

(b) Vide Appendix, N° CXXXVI.

* Sic in Orig. and as there is no Branch of the Company's Affairs * in which their Interests so essentially depend, I propose that the Council do assemble for the Conduct of it in the same Manner as was practised by the late Council of Revenue. (a)

Signed at the End of the Consultation,

“ Warren Hastings,
J. Clavering,
Geo. Monson,
Richard Barwell,
P. Francis.”

Read, from Book 177, already delivered in, the following Extract of a Plan proposed by the Governor General and Mr. Barwell for the future Settlement of the Revenue, dated Fort William, 28th March 1775.

* Sic in Orig. “ With respect to the Mode of managing the Collection of the Revenue, and the Administration of Justice, none occur to us so good as the System which is already established of Provincial Councils, as explained in the Revenue Consultations of the *

“ We are under some Apprehension however, lest the Members of these should divide into Parties, and so the Currency of Business be impeded, and Disputes engross the Time which ought to be employed in a minute Attention to the Detail of their Duty, and to Dispatch, which is the Life of the Collections: It is the natural Consequence of Dissentions in the superior Council, and our constant Care will be required to prevent it. (b)

Signed at the End,

“ Warren Hastings,
Rich^d Barwell.”

The Managers for the Commons stated, That they should next produce the Defendant's Recommendation to the Court of Directors, that the above System might be carried more completely into Effect by an Act of Parliament.

Read, from Book 217 already delivered in, the following Extract of a Letter from the Governor General and Mr. Barwell.

“ To the Honourable the Court of Directors, &c. dated Fort William, 31st April 1776.

“ Honourable Sirs,

“ The accompanying Sheets contain the Draught or Scheme of an Act of Parliament, formed on the Plan, which we had the Honour to transmit to you in Duplicate by the last Dispatches, for the better Administration of Justice in these Provinces, and drawn up at our Instance by the Chief Justice. (c)

Signed,

“ Warren Hastings,
Rich^d Barwell.”

Read, also, from the same Book, the following Extract of a Scheme of an Act of Parliament, for the better Administration of Justice in the Province of Bengal.

“ A Bill for the better Government of the Kingdom, or Provinces and Countries under the Government and Controul of the Governor General and Council of Fort William, in Bengal; and for the Administration of Justice therein.

Clause 37. “ Be it enacted by the Authority aforesaid, That the said several Divisions and Districts respectively, be hereafter called by the Names the said Divisions and Districts now bear and are known by; that the several Cities, Towns, Villages, and Countries, by the said President and Council included within the said Divisions and Districts respectively, do for ever remain included in the said Divisions and Districts to which they have been so allotted, and be for ever hereafter considered respectively as Part and Parcel thereof.

Clause 38. “ And be it enacted by the Authority aforesaid, That there be erected and established, and there is hereby erected and established, within each of the Divisions aforesaid respectively, One Court of Record and of Revenue; which said Court shall severally and respectively be called, The Court of Provincial Council of Calcutta, The Court of Provincial Council of Moorshedabad, The Court of Provincial Council of Burdwan, The Court of Provincial Council of Dacca, The Court of Provincial Council of Dinagapore, The Court of Provincial Council of Patna, and The Court of Provincial Council of Chittagong. (d)

(Signed at the End)

“ Warren Hastings,
Rich^d Barwell.”

The Managers for the Commons stated, That having now shewn what was the Opinion of the Court of Directors and of Mr. Hastings, with respect to the Mode of admi-

(a) Vide Appendix, N^o CXXXVI.

(c) Vide Appendix, N^o CXXXVIII.

(b) Vide Appendix, N^o CXXXVII.

(d) Vide Appendix, ibid.

nistering the Revenue through the Intervention of Europeans, they should next proceed to shew the Orders given by the Court of Directors, and the Opinion of Mr. Hastings, with respect to the Persons who ought to have Possession of the Lands, in order to pay a Revenue to the Company.

Read, from Book 108 already delivered in, the following Extract of a General Letter from the Court of Directors to the Governor General and Council at Fort William, in Bengal, dated London, 31st January 1776, beginning at Page 29 of the same Book.

21. " Your Advices respecting Banyans holding of Lands, and Chiefs of Councils interfering in Farms, have alarmed us exceedingly; and although we are not prepared by this Dispatch, to give our Sentiments fully on the System of letting the Lands, we cannot pass this Subject over unnoticed. Per Prince of Wales, London, Lionel, and Shrewsbury.

22. " We are sorry to observe, that many useful Regulations established by the Council of Revenue, and Committee of Circuit in 1772, have been totally disregarded. The following Abstracts of their Proceedings compared with subsequent Transactions, verify this Observation, and convince us that those Regulations have been grossly evaded, and to an enormous Extent.

23. " By the 17th Article of those Regulations, Banyans, and other Servants of the Collector, of whatever Denomination, are totally precluded from holding any Concern, directly or indirectly, in any Farm; and if any Person under a false Name, or by any Kind of Collusion, evades this Regulation, he is to be subject to an heavy Fine, and to forfeit his Farm; and if the Collector connive at a Breach thereof, he stands ipso facto dismissed from his Collectorship; and no European is permitted, directly or indirectly, to rent Lands in any Part of the Country.

24. " The Observations of the Committee of Revenue on this Regulation are, That if Collectors, or any Persons who partake of their Authority, are permitted to be the Farmers of the Country, no other Persons will dare to be their Competitors; that of course they will obtain the Farms on their own Terms; that it is not fitting for the Servants of the Company to become Dealers with their Masters;—that Collectors are Checks on the Farmers, but if they themselves turn Farmers, no Checks can be found for them;—that the Company will not have any Security for their Property, nor the Ryots be able to obtain Relief against Oppressions.

25. " In 1773 the Collectors of Revenue were recalled, and the Office was executed by a Chief and Council.

26. " If it was thought dangerous to permit the Banyan of a Collector to be concerned in Farms, we must conclude, that the same or stronger Objections will always lie against the Governor's Banyan being thus concerned; and we direct that you enforce the said 17th Regulation.

27. " By the 11th Article of the said Regulations it is stipulated, that the Farmer's Payments to Government shall be ascertained and established, and no Demand made upon him, over and above the Sum expressed in the Rent Roll delivered him with his Lease.

28. " The Reasoning of the Committee on this Article appears very excellent; but to our Concern we find so little Regard paid thereto, that 125,500 Rupees per Annum have been demanded, and upwards of 98,000 Rupees received upon Two inconsiderable Farms, independent of the Agreement made with the Company, and claimed by our Servants as a perquisite of Office, or Emolument of Station.

29. " Whatever may be our final Determination on these Proceedings, it is our positive Command, that no Person in our Service do presume to ask, accept, or receive, directly or indirectly, any Gift, Gratuity, Reward, or Benefit, from any Farmer of our Lands or Revenues, or on Account of any Farm, contrary to the true Intent and Meaning of the said 11th Article above mentioned.

30. " It is also our express Direction that Pottahs be regularly prepared and delivered to the Ryots, and that the Farmer do not receive more from the Ryot than the stipulated Amount of his Pottah; according to the 10th Regulation.

31. " You will take Care that the Second Article be strictly observed, and that no Farmer be permitted to rent Lands to a greater Amount than 100,000 Rupees, hereditary Zemindars excepted; and except also there shall be an evident Necessity for departing from this Rule to prevent Confusion or Inconvenience, which may be occasioned by the Subdivision of Pergunnahs.

Signed at the End, (a)

W. Devaynes,	John Harrison,
Nath ^l Smith,	John Roberts,
W. G. Freeman,	Fred ^k Pigou,
Peter Lascelles,	Jn. Woodhouse,
Geo. Wombwell,	W ^m James,
Edw ^d Wheler,	Dan ^l Wier,
George Cuming,	J. Stables,
Ben. Booth,	Jn ^o Michie,
Ja ^s Moffat,	Cha ^s Boddam,
	Rich ^d Becher."

(a) Vide Appendix, N^o CXXXIX.

Read, also, the following Extract of a General Letter from the Court of Directors to the Governor General and Council at Fort William in Bengal, dated London, the 24th of December 1776, beginning at Page 300 of the same Book.

Par. 41. " Having considered the different Circumstances of letting your Lands on Leases for Lives, or in Perpetuity, we do not, for many weighty Reasons, think it at present advisable to adopt either of these Modes; but in the mean while, we direct that the Lands be let for the succeeding Year on the most advantageous Terms, and that none be in future let by publick Auction.

42. " But in every Disposal of the Lands, it is our strict Injunction, that a Preference be given, and every Indulgence shewn, to the Natives resident on the Spot; and that no European, nor the Banyan of any European, be permitted to hold any Share therein: from which Injunction we, however, except the Jungleterry, or Corry Jury Lands, where the superior Knowledge of our own People may be of great Service, by clearing such Parts as lie uncultivated, and where such Mischiefs are not likely to be produced as are too generally found to attend the Measure of letting Lands to Europeans.

43. " We direct, that Demands be made on the respective Landholders for all outstanding Balances or Arrears of Rent; and that every just and proper Step be taken to realize such Sums as may stand an apparent Value on our Books: But if it shall appear, from such Circumstances as require Lenity, that these Balances cannot be collected, the Whole, or Part thereof, may be remitted; for which we must depend on the Judgment and Discretion of our Governor General and Council, whose local Knowledge will best enable them to decide with Accuracy and Precision. (a)

Signed at the End,

" John Stables,	John Roberts,
Fred ^k Pigou,	W ^m James,
R ^d Hall,	Daniel Wier,
W. G. Freeman,	Rob ^t Gregory,
Ja ^s Moffatt,	George Tatem,
Rich ^d Becher,	George Cuming,
	Samuel Peach,
	John Harrison."

Read, also, the following Extract of a General Letter from the Court of Directors to the Governor General and Council at Fort William in Bengal, dated London, the 5th February 1777, beginning at Page 398 of the same Book.

11. " The Distance of many Districts from Calcutta will render it necessary for Zemindars or Farmers to treat with Provincial Councils, or other Agents of the Company on the Spot; but it is our Order, that no Agreements for Lands or Revenues, wherein the stipulated Amount shall exceed * Rupees, be finally concluded, until reported to, and authorized by the Governor General and Council.

12. " Having revoked our Orders to let the Lands to the highest Bidders, and signified our Pleasure to have them occupied by hereditary Zemindars, where it can be done with Security to the Revenue; and being desirous that they should enjoy their Zemindaries on Terms sufficiently moderate to enable them to maintain a Degree of Respect amongst their Dependants, we direct, that you keep this Idea in View in every Agreement to be made with the said Zemindars. We cannot, however, empower you to make a general Reduction or Abatement of any specific Sum upon the whole Jummah; but rather wish you to be guided, in such Reductions where they are absolutely necessary, by an Enquiry into the Amount of Mhatutes, Aboabs, or additional Taxes or Collections of any Kind, imposed upon the Districts since the Company's Accession to the Duanny, and to abolish the Whole, or such Part thereof as shall fully appear to be an Oppression upon the Country. (b)

(Signed at the End)

" Hen ^y Savage,	John Roberts,
Ja ^s Moffatt,	W ^m James,
Tho ^s Rumbold,	Fred ^k Pigou,
T. B. Rous,	J. Stables,
John Smith,	George Tatem,
Ben. Booth,	George Cuming,
G. Wombwell,	R ^d Hall,
Joseph Sparkes,	Samuel Peach."

(a) Vide Appendix, N^o CXL.

(b) Vide Appendix, N^o CXLI.

Read, also, further Extract from the same Letter, beginning at Page 403 of the same Book.

Par. 15. " Although we do not for the Present think it expedient to lett the Lands on Leases for Lives, or on Terms more permanent than those already specified, it is nevertheless our earnest Desire to impress the Zemindars and Rentors with a full Confidence in the Justice of our Proceedings, and particularly to convince them, that while they behave with Honour to us, and with Kindness to their Under Tenants and Cultivators, they shall most certainly experience our Favour; and that nothing but a contrary Conduct can ever subject them to our Displeasure. We therefore direct, that wherever Lands have been lett at a reasonable Rent, and the Zemindar or Rentor has fulfilled his Engagement to your Satisfaction, no such Person be dispossessed of Lands, or compelled to pay an advanced Rent, without the most substantial Reasons for such Advance, and even then he shall have the Preference of all others, and be suffered to continue at a moderate additional Rent. But in all Instances where such increased Value shall not be considerable enough to become an Object of Consequence to Government, no Zemindar or Rentor shall be dispossessed or molested, but permitted to enjoy the Fruits of his Industry and Improvements, and to renew his Lease or Agreement from Year to Year without any Increase of Rent." (a)

Read, also, the following Extract of a General Letter from the Court of Directors to the Governor General and Council at Fort William in Bengal, dated London, the 4th July 1777, beginning at Page 753 of the same Book.

Par. 36. " In our Letter of the 5th of February 1777, we expressed our Apprehensions, that a sudden Transition from One Mode to another in the Investigation and Collection of our Revenues, might have alarmed the Inhabitants, lessened their Confidence in our Proceedings, and been attended with other Evils; yet as we were led to hope that such Information had been obtained, as would enable us to ascertain with a sufficient Degree of Precision, what Revenues might be collected from the Country without oppressing the Natives, we felt some Satisfaction in considering those Evils as at an End, and proceeded to give such Instructions as appeared to us necessary for your Guidance in a future Settlement of the Lands.

37. " In this State of the Business our Surprise and Concern were great, on finding by our Governor General's Minute of 1st November 1776, that after more than Seven Years Investigation, Information is still so incomplete as to render another Innovation, still more extraordinary than any of the former, absolutely necessary, in order to the Formation of a new Settlement.

38. " In 1769, Supervisors were appointed professedly to investigate the Subject; in 1770, comptrolling Councils of Revenue were instituted; in 1772, the Office of Naib Duan was abolished, Natives were discarded, and a Committee of Circuit formed, who, we were told, precisely and distinctly ascertained what was necessary to be known; and now, in 1777, Two junior Servants, with the Assistance of a few Natives, are employed to collect and digest Materials, which have already undergone the Collection, Inspection, and Revision of so many of our Servants of all Denominations. We by no Means disapprove the Attempt to obtain further Information, if it be necessary; but are sorry that the Conduct of the Majority of the Council on the Occasion has been such as must have our utter Disapprobation. (b)

.

(Signed at the End)

" Henry Fletcher,	R ^d Hall,
John Smith,	Samuel Peach,
John Harrison,	George Cuming,
Cha ^s Boddam,	Thomas Rumbold,
Geo. Wombwell,	John Michie,
W. Devaynes,	Rich ^d Becher,
J. Purling,	George Tatem,
Fred ^k Pigou,	Joseph Sparkes,
	John Roberts."

Read, also, a further Extract from the same Letter, beginning at Page 759 of the same Book, as follows:

43. " And, as to arranging the Materials when transmitted to Fort William, if the Experience of the Officers of the Khalsa has not rendered them capable of executing a Work of this Nature more speedily, and to greater Advantage than Two Strangers, be their Abilities what they may, we must declare them unfit for their Employments.

44. " The Roy Royan was the regular Channel of such Communications as require the Interposition of a Native, and not Gunga Govind Sing, whose Dismission from the Calcutta Committee had rendered him an improper Person to transact Affairs of such Moment to the Company.

(a) Vide Appendix, N^o CXLI.

(b) Vide Appendix, N^o CXLII.

45. " The Superintendant of the Khalsa Records and Persian Translator are unworthy their Offices, if unable to direct the Arrangement of Papers so immediately connected therewith; and as we consider the Preparation of Materials, upon which a General Rent Roll of the Provinces must be formed, as interfering most essentially with the ordering and Management of the Revenues, we must be of Opinion that the Members of our Council could not legally relinquish their Power of immediate Inspection and Superintendence of those Materials in the First Instance, nor delegate a separate Power of future Controul in the Degree, and to the Extent now vested in the Person of the Governor General, because, though there might be no Reason to expect unfair Proceedings in the present Case, it was absolutely necessary to guard against the Possibility of enabling the Governor General to suppress or reject Papers or Accounts which might be deemed necessary Instruments of Information by other Members of the Council.

46. " In Regard to the Idea of deputing Natives on occasional Investigations, we are really astonished at such a Proposition. If a Committee of Circuit and Council of Revenue, composed of the most intelligent and respectable Characters in our Service, and armed with all the Power of the Presidency, have failed in their Attempts to obtain necessary Information, from whence are these Natives to procure it? And if Collusions have been practised by Members of Administration when deputed into the Districts, what Reason have we to expect that the Conduct of native Deputies, who cannot be ignorant of former Transactions, will be found more unexceptionable than that of their Superiors? It will certainly be allowed that they are liable to great Temptations, because their Report must determine, in some Degree at least, the Amount of Revenue to be taken from those Districts which are to be the Subjects of their Investigation.

47. " The Minutes of General Clavering and Mr. Francis leave us little to add on this disagreeable Subject. Their Reasons against delegating a separate Power of Controul to the Governor are solid and judicious, and we are happy in declaring that their Conduct on the Occasion meets with our Approbation." (a)

Read, from Book 221 already delivered in, the following Extract of a Letter from the Court of Directors to the Governor General and Council at Fort William in Bengal, dated 23d December 1778, beginning at Page 625 of the same Book.

Par. 130. " In our Letter of the 24th of December 1776, you were acquainted that, for many weighty Reasons, we did not then think it advisable to authorize you to let the Lands of the Provinces on Leases for Lives, or in Perpetuity: The same Reasons still operate. We therefore direct, that you relet the Lands, from Year to Year, on the most advantageous Terms procurable, except by public Auction, until you shall be duly authorized and empowered by the Court of Directors to adopt another System; and we further direct, that you also continue to make the Letter and Spirit of our Orders of the 5th of February 1777, the Rule of your Proceedings on this important Subject.

Signed

R ^d Hall,	G. Wombwell,
W ^m Mills junior,	W ^m James,
J. Stables,	L. Sullivan,
Tho ^r Cheap,	Jn ^o Woodhouse,
W. Devaynes,	Jn ^o Michie,
W. G. Freeman,	Joseph Sparkes,
Rob ^t Gregory,	John Roberts,
John Smith,	H. Fletcher,

Samuel Peach."

The Managers for the Commons stated, They should next proceed to lay before the House, certain Opinions of Mr. Hastings relative to the Matter contained in the above Orders of the Court of Directors, in order to shew that every Order given by them was afterwards disobeyed in 1781.

Read, from Book 210, already delivered in, the following Extract of a Consultation of the 11th March 1775, beginning at Page 1007 of the same Book.

" Fort William, the 11th of March 1775.

" At a Council; Present,

The Honourable Warren Hastings Esquire, Governor General, President;	
Lieutenant General Clavering,	
The Honourable George Monson,	
Richard Barwell,	} Esquires.
Philip Francis,	

Rev. Dept.
Saturday.

Governor
General's Mo-
tion for the
separate Op-
inions of the
Members on

" The Governor moves, That the separate Opinions of the Members of the Council be taken and sent to England with the last Dispatches of this Season, concerning the Mode which each shall judge it most expedient to adopt for the new Settlement of the Provinces after the Expiration of the present Leases, that the Honourable Court of Directors may be furnished in due time with

(a) Vide Appendix, N^o CXLII.

complete Materials to enable them to transmit their decisive Orders upon this important Subject. the future Settlement of the Provinces.

Signed at the End of the Consultation,

“ Warren Hastings,
J. Clavering,
Rich^d Barwell,
P. Francis.”

Read, from Book 177, already delivered in, the following Letter from the Governor General and Mr. Barwell to the Court of Directors, dated the 28th March 1775, and inclosing a Plan for the future Settlement of the Revenue.

“ To the Honourable the Court of Directors for the Affairs of the Honourable United Company of Merchants of England trading to the East Indies.

“ Honourable Sirs,

“ In consequence of a Resolution passed at the Board of Revenue on the 11th instant, we have drawn up, with as much Accuracy as our joint Experience and the narrow Compass of Time allowed us, in the Midst of other pressing Avocations, would permit, a Plan for the future Settlement of the Revenue, which we have the Honour to transmit you enclosed.

“ We have committed the Charge of this Address to Captain Tryon, having concluded it too late for the Packet.

“ We are, with great Respect,
Honourable Sirs,

Your most obedient and most faithful Servants,

“ Fort William,
28th March 1775.

Warren Hastings,
Rich^d Barwell.”

Read, from the same Book, the Plan proposed by the Governor General and Mr. Barwell for the future Settlement of the Revenue, as follows :

(“ A Plan for a future Settlement.

§

“ From the Company’s Acquisition of the Dewannee, it had been customary to make an annual Settlement of the Revenue of the several Districts of Bengal. The principal Zemindars, and also the Chief People of the Country, assembled at the City at the holding of the Pooniah in the Months of April and May. A Settlement was then concluded in some Places with the Zemindars themselves, in others with Persons who were appointed to the Charge of the Collections, under the Names of Aumils. These Aumils having each executed an Agreement to pay a certain Sum of Money into the Treasury of Moorshedabad, according to the stated Periods specified in the Kistbundy, were sent into the Country to form the Mussuful Settlement, and carry on the Collections as they judged most expedient for realizing the Revenue for which they had engaged.

“ On the Appointment of the Company’s covenanted Servants as Collectors, a Measure which took Place in 1770, and on repeated Complaints of the Oppressions, which had been committed by the Aumils, the Engagements with them were in general discontinued, and it was left to the Collectors to make a Settlement, for the most Part for One Year, in their several Districts, on the best Terms they could obtain.

“ In 1771 another One Year’s Settlement was made, partly by the Collectors, and partly by Members deputed by the Council of Moorshedabad. When the Management of the Revenues was the Subject of the Deliberations of the Board in the Year 1772, it was unanimously agreed, that the System of an annual Settlement was not calculated for the Prosperity of the Country ; and the yearly Attendance of the Zemindars at the City was deemed an unnecessary Expence, which ultimately fell upon the Company.

“ A Man of little or no Property being appointed an Aumil, executed an Engagement to pay 10 or 15 Lacks of Rupees, was invested with full Authority for collecting it, and had no Interest in the Welfare of the District any longer than for the single Year of his Appointment. The Settlements which were made with the Zemindars themselves were in like Manner for One Year only. If the Lands went to Decay, the next Year’s Revenue was proportionably augmented.

“ Arguments are not necessary to prove that such a System must naturally produce Oppression, and be a Check to the Cultivation of the most valuable Articles of Husbandry. It was resolved to let out the Country on Leases of Five Years, that the Farmers might be induced, by Motives of Self Interest, to attend to its Improvement. They were granted to such responsible Persons as offered the most advantageous Terms ; a Preference being reserved to the Zemindars, in case their Proposals were equal to others. Under this System of farming the Burdwan Province had been greatly improved, and its Value ascertained, since its Cession to the Company.

“ It was hoped that the same good Effects would be produced in the rest of Bengal.

" The ascertaining of the Value of the several Districts has been sufficiently accomplished ; but
 " we will not say the desired Improvement has in general taken Place. It has been chiefly ob-
 • sic in Orig. " structed by a Circumstance which could not be foreseen ; we mean, the Farmers having * having
 " engaged for a higher Revenue than the Districts could afford.

" The following is the Plan which we recommend to be adopted at the Expiration of the
 " present Leases.

" 1st. That all new Taxes which have
 " been imposed upon the Ryots in any
 " Part of the Country since the Com-
 " mencement of the Bengal Year 1172
 " (or 1764 and 5), being the Year in
 " which the Company obtained the De-
 " wanny, be entirely abolished.

" 1st. Whenever any Occasion has arisen, or any
 " Pretence been found to levy a new Tax upon the
 " Ryots, it has been the Custom of the Zemindars
 " and Aumils to continue to collect it, whether the
 " Occasion has remained or not. By this Means
 " their Rents have been constantly encreasing. This
 " has been an immediate Distress to the Ryots, and
 " must have ultimately affected the Manufacturers
 " and all other Ranks of People, by raising the
 " Prices of the several Articles produced by the La-
 " bour of the Ryots.

" The Abolition we conceive would be an imme-
 " diate Ease to the Ryots, would give Life to In-
 " dustry, and would tend to lower the Prices of the
 " Bengal Manufactures.

" A few of the latest Impositions were abolished
 " by the Committee of Circuit when they formed
 " the Five Years Settlement ; but the then Cir-
 " cumstances of the Company did not admit of
 " their taking any Measures which would have been
 " attended with an immediate Diminution of a more
 " considerable Part of the Revenues.

" The Amount of the Taxes imposed since the
 " Acquisition of the Dewanny will hardly be less
 " than 15 Lacks of Rupees. We do not imagine
 " that any Part of Bengal has been exempted from
 " them, except perhaps the District of Burdwan
 " and the 24 Purgunnahs. This Accumulation of
 " Taxes was practised to a still greater Degree in
 " the 10 or 15 Years preceding the Company's De-
 " wanny than it has since ; but it would be difficult
 " to ascertain them exactly at such a Distance of
 " Time, and their Abolition would occasion a greater
 " immediate Loss than could be afforded.

" Subsidiary Regulations will be necessary to
 " secure the Ryots in the Engagement of the Relief
 " proposed for them ; these would be easily formed
 " if the Plan itself were approved. It is unnecessary
 " to enter into a Detail of them at this Time.

" 2d. That the 24 Purgunnahs be sold
 " as Zemindaries by public Auction, in
 " Lots, not exceeding a Jumma, or Rent-
 " roll, of 20,000 or 30,000 Rupees a
 " Year.

" 2d. The Sale would raise a large Sum of Mo-
 " ney, and there is no Doubt that the Lands would
 " be greatly improved in the Hands of Zemindars
 " on the permanent Footing which we have recom-
 " mended. It would then be their Interest to attend
 " to the Cultivation of the most valuable Articles of
 " Husbandry, which require Time to bring them to
 " Perfection, and to submit to present Expences for
 " the sake of future Profit. We would recommend
 " too, that Europeans be allowed to be Purchasers,
 " provided they could be made amenable to the Re-
 " venue Courts, and subject to the same Regulations
 " as the Natives with Respect to the Payment of
 " their Rents and the Treatment of the Ryots. Being
 " of a more enterprising Spirit than the Natives,
 " they would be more likely to introduce new Ma-
 " nufactures, and even to import an Accession of
 " Inhabitants from foreign Countries, and they would
 " in Time become an Addition of Strength to the
 " British Empire in India.

" In

“ In the Regulations laid down for the Settlement
 “ of 1772 we concurred in a contrary Proposition,
 “ because at that Time the Mayor's Court and the
 “ Courts of Session, to which alone Europeans were
 “ amenable, had no Jurisdiction beyond the Limits
 “ of Calcutta or the Factories of Trade, although
 “ they had a sure Appeal to the Mayor's Court for
 “ any Acts of Government passed against them.
 “ This Defect in the Authority of Government has
 “ been effectually removed by the Institution of the
 “ supreme Court of Judicature.”

✍ [3d. That the Revenue to be paid by
 the Purchaser be settled at the Medium of
 what was collected in the Three preceding
 Years, with an Allowance of 15 per Cent.
 deducted for the Charges of Collections,
 and their Profits.

4th. That the Revenue do remain
 fixed at this Rate during the Life of the
 Purchaser. That no Increase be levied,
 nor Deduction allowed on any Account
 whatever. That the Government be at li-
 berty to sell the Zemindarry, if the Ze-
 mindar should be deficient in his Payments.

§ (“ 5th. That on the Death of any Pur-
 chafer, the Zemindarry shall devolve to his
 Heir. That it shall then be in the Option
 of the Government to continue it fixed to
 him at the same Rate as was paid by the
 Purchaser, or to make a new Hustbood
 of it, and settle the Rent on the Me-
 dium of the actual Collections of the
 Three preceding Years, in the Manner
 proposed in the 3d Article, with this
 Proviso, however, that whatever may be
 the Result of the Hustbood, no greater
 Increase shall be levied than 10 per Cent.
 on the preceding Lease, nor the Settle-
 ment be reduced to less than the preced-
 ing Lease; that the Expence of the
 Hustbood be defrayed, Half by the Go-
 vernment and Half by the Zemindar.
 If the new Zemindar agrees to an In-
 crease of 10 per Cent. a Hustbood will
 then be unnecessary. This, however,
 should not be demanded, unless the
 preceding Zemindar had possessed the
 Estate at least Ten Years.

[3d. We reckon the Charges of Collection at
 5 per Cent. ; and 10 per Cent. is their just Profit as
 Zemindars. If any Taxes have been imposed since
 the Commencement of 1772, these must be deducted
 before the future Revenue is settled. Aumeens sent
 into the Purgunnahs immediately on the Expiration
 of the present Leases, would probably ascertain the
 Collections without Difficulty, as there would be no
 one interested to prevent it.

4th. An annual Encrease would put the Ze-
 mindar to Difficulties, which would eventually pro-
 duce Oppression and prevent Improvement; and
 Deductions would become necessary, as at present,
 in unfavourable Seasons. If the Revenue be fixed,
 the Profits of One Year will compensate for the
 Losses of another; and should the Zemindar, through
 his own Misconduct, be at any Time deficient in his
 Payments, a Purchaser would never be wanting to
 take the Zemindary on Terms which would secure to
 Government its just Revenues.]

✍ (“ 5th. The Increase proposed is very moderate;
 “ but we do not think it could be rendered greater,
 “ consistently with the Value which we would wish
 “ to be set upon Landed Property; for upon this
 “ we deem the whole Success of our Plan to de-
 “ pend.

“ It cannot, we think, be reckoned an Injustice,
 “ that the Successor should at any Rate pay the
 “ same Revenues as his Predecessor. If the Ze-
 “ mindarry is not worth holding on those Terms,
 “ he will be at Liberty to sell or relinquish it; it is
 “ a necessary Regulation, lest the Successor should
 “ insist upon a Hustbood, and by Influence and
 “ Bribery get the Value of it reported much lower
 “ than the Truth, and so defraud the Govern-
 “ ment.

“ Was every Zemindar required to deliver an-
 “ nually an exact Account of his actual Collections,
 “ under Pain of forfeiting his Zemindarry, it might
 “ prevent the Necessity of ever having Recourse to
 “ a Hustbood; but we apprehend such a Clause
 “ would occasion an Alarm, and discourage People
 “ from purchasing.

“ We propose the Expence of the Hustbood to
 “ be paid, Half by the Government and Half by
 “ the Zemindar, that both may be induced to an
 “ amicable Adjustment.

“ If the preceding Zemindar had possessed the
 “ Estate but a short Time, the Government ought
 “ to confirm it to his Successor without any En-
 “ crease: If he had possessed it a great Number of
 “ Years, and no particular Circumstance had hap-
 “ pened to prevent its Improvement, it would be
 “ reasonable that the Encrease of 10 per Cent should
 “ be demanded.

“ This

" 6th. That should the new Zemindar refuse to hold the Zemindarry at the same Rate as was paid by his Predecessor, he shall either sell it to some other Person who will be answerable for the Revenue, or else it shall be forfeited and escheat to Government.

" 7th. That should the new Zemindar refuse to hold it on the Terms of a Hufthood, as proposed in the 5th Article, he shall receive an Allowance of 10 per Cent. on the preceding Settlement, and the Government shall be at Liberty to farm it out on the best Terms procurable.

" 8th. That should the new Zemindar be a Minor, and Guardians have not been appointed by the Father, the Government shall take the Zemindary under its own Charge, till he attains the Age of 18 Years, and be at Liberty to farm it out on the best Terms procurable, setting apart for him an Allowance of 10 per Cent.

" 9th. That as soon as he attains the Age of 18 Years, the Farm shall be offered to him on the Terms proposed in the 5th Article; and if he refuses to hold it on any of those Terms, the Government shall be at Liberty to farm it out, as in the 7th Article.

✍ [10th. That all the other Districts of Bengal be formed out in Leases for Life, or for Two joint Lives, to such responsible People as shall offer the most advantageous Terms, allowing a Preference to the Zemindars, (provided they have attained the Age of 18 Years), if their Offers are equal to those of others, or if they are equal to what the Council shall judge to be the real Value of the Lands.

" This Encrease of 10 per Cent. should be demanded on each Succession, if the State of Improvement will admit of it; and this, in case of Dispute, would be ascertained by the Hufthood.

" It is unnecessary at present to enter upon a Discussion of the subsidiary Regulations which would be requisite for the Transfer of a Zemindarry by Sale or otherwise, the granting of new Sunnuds, &c. &c. &c.

" 6th. The Reasons for this Regulation are explained in the preceding Article.

" 7th. It might sometimes happen that an Aumeen employed in making the Hufthood, would report the Collections of the Three preceding Years to be higher than they actually were, and that in consequence an Encrease might be demanded, when the State of the Zemindarry would not admit of it. This Regulation is meant to secure the Zemindar from suffering by such a Circumstance, and to render him at any Rate certain of a Profit of 10 per Cent. But it would seldom be good Policy in the Government, thus to free the Zemindar from his Responsibility in the Revenue, and take the Management of it out of his Hands.

" 8th. We propose this Article, that the Zemindar may not be liable to lose his Inheritance by the Misconduct of his Servants, before he is himself of an Age to attend to the Management of it.

" 9th. We leave him the Liberty of declining to farm it on the Terms on which it was held by his Predecessor, because it may have been injured during his Minority, and so may have fallen to Decay without either his or his Predecessor's Fault; he may still bid for it according to what he deems its Value, and be allowed a Preference to others, as proposed in the 10th Article." §

10th. Whenever the Landed Property shall be put upon such a Footing, as to render it desirable, and secure Purchasers in case of Balances, we would wish that the Revenue of every District should be settled with the Zemindar; and for this Reason we propose he should have a Preference, if his Terms are equal to what the Council judge to be the real Value of the Lands, even though other Persons should be willing to give considerably more. This Power will be very likely to subject the Conduct of the Council to Misrepresentations; but, unless it is allowed to and exercised by them, it will be impossible to prevent the Mischief of Districts being over-rated, as at the Five Years Settlement, by People offering more for them than can be afforded consistently with Justice to the Ryots.

" It might be resolved, that no Proposals should be received from any Persons but the Zemindars themselves, and that their Terms should be fixed by the Result of the Hufthood, as in the 3d Article. A

Kind of *Huſtbood* will indeed be neceſſary at any Rate, according to our Plan, in order to aſcertain the Taxes which have been impoſed upon the Ryots ſince the Commencement of 1771; but to truſt to it for fixing this Settlement, would be attended with great Risk of injuring the Government by the Influence of the Zemindars preventing the Delivery of juſt Accounts, and by the Temptations to which the Aumuns would be expoſed of Corruption.

Leaſes to Farmers on fixed Terms for Life, would intereſt them in the Improvement of the Country equally with the Zemindars, and in one Reſpect would be more effectual; we mean, by being granted to ſubſtantial *, who have Money of their own to lay out in Improvements. The principal Argument in Favour of the Zemindars, is the Security ariſing from the Power of ſelling their Lands, when Landed Property is put on ſuch a Footing as to become deſirable.]

* Sic in Orig.

§ (“ 11th. That it be expreſſly ſtipulated, that no Attention ſhall be paid to any Propoſals for an annual Encreaſe, it being meant, that the ſame Revenue ſhall be paid for the Firſt Year, as for the ſubſequent Years; that no Encreaſe be levied, or Deduction allowed, on any Account or Pretence whatever.

“ 12th. That it be obſerved as an invariable Rule, that if any Zemindar fails in his Engagements, his Zemindarry, or ſuch Part of it as may be neceſſary to pay the Deficiency, ſhall be publickly ſold. The Purchaſer to hold it, either on the Terms of a *Huſtbood*, as propoſed in the 2d Article, or according to the preceding Settlement, as may be ſpecified in the Adverſement.

“ 11th. If the Attention of Government be drawn aſide by Allurements held out of future Encreaſes, the Revenue will be over-rated. Many Perſons may be found, who will not ſcruple to promiſe more than they know themſelves able to perform, if by that Means they can obtain their preſent Views. (Vide Obſervations on the 4th Article).

“ 12th. Without this Article, we ſhould not think a Settlement with the Zemindars adviſeable, eſpecially with the great Zemindars. They are for the moſt Part ignorant of, or inattentive to Buſineſs, and truſt to their Servants, who defraud and impoſe upon them. Beſides, it has ſo long been the Cuſtom of Bengal, to raiſe their Rents to the full Value of their Lands, that very few of them have any Deſire for their Improvement, and we do not ſuppoſe that an Alteration in the System of Landed Property, will make any immediate change in Sentiments which they have imbibed from their Infancy. The Fear of the Sale of their Lands, is the only probable Inſtrument of keeping them to their Engagements; and the actual Sale of them, is the only Means of re-imburſing the Government if they fail. With reſpect to the Terms on which the Revenue of the alienated Lands ſhould be paid for the Purchaſer in caſe of their Sale, the following ſhould be the Rules obſerved:

“ If the Land to be ſold be a *Purgunnah* ſeparated from a large Zemindarry, it ſhould be aſcertained by a *Huſtbood*, as propoſed in the 3d Article:

“ If it be an entire ſmall Zemindarry, it ſhould be fixed according to the preceding Settlement, provided the Council have Reaſon to believe it was rated at nearly it's juſt Value.

“ 13th. Requires no Explanation.

“ 13th. That the ſeveral Regulations propoſed in the 4th, 5th, 6th, 7th, 8th, and 9th Articles, relative to Purchaſers in the Calcutta *Purgunnahs*, ſhall equally extend to the Purchaſers in other Diſtricts, and to the preſent Zemindars.

“ 14th. That whenever the Zemindar does not farm his own Zemindarry, his Allowance be paid at 10 per Cent, on the Amount of the Revenue ſettled by the Government.

“ 14th. We underſtand this was the Rule in the ancient Conſtitution of the Empire. It now prevails univerſally in the Province of Bahar, under the Title of *Malckâna*, or the Right of the Proprietor.

" 15th. That each Zemindar, or the Farmer where the Farmer has Possession, be authorized to exercise a Foujdarry Jurisdiction, and be made answerable for Murders and Robberies committed in his District, agreeably to the old Constitution of the Empire.

" 16th. That for the Salt Contracts a Preference be allowed to the Land Farmer, and that in future it be regulated that the Molungees, or Salt Boilers, shall not be obliged to work, whether they chuse it or not; but only, that if they do work, it shall be for the Contractor, and that their Salt shall be delivered to him; the Price to be settled by mutual Agreement.

☞ [17th. That these Regulations, or such Part of them as shall be approved, and any others which the Honourable Court of Directors shall think fit to add to them, be passed into fixed Laws by their express Command; that it shall not be in the Power of the Governor and Council to change or deviate from them on any Occasion, or for any Pretence whatsoever; and that Copies thereof, in the English, the Persian, and Bengal Languages, be affixed to all the Cutcherries of the Provinces, with the same Authority declared for their Establishment and Duration.

" 15th. The Foujdarry Jurisdiction, according to the Constitution of the Empire; is inherent in the Zemindar; but it will be dangerous to entrust the Exercise of it to any other than the Person who has the Charge of the Collections, nor would it prove effectual in any other Hands. Continual Jealousies and Contentions would be excited between the Farmer and the Foujdar. The former would suffer by the Oppressions of his Ryots, if the latter had a superior Influence, or he would make use of such a Plea to obtain a Remission in his Rents; and the Foujdar would be unable to act, if the Farmer's Influence prevailed, as the Ryots would always fly to him for Protection. Some Regulation of this Kind is necessary for the Peace of the Country, but it would require much Care to put it upon such a Footing, as neither to be oppressive to the Farmer, nor to the Ryots. The old Constitution of the Mogul Empire should in this Instance be the Basis of the Rules to be ordained.

" 16th. We propose that the Zemindar, or Land Farmer, should also be the Contractor, because he would be able to execute that Business with greater Advantage than another. An Order restricting the Molungees to the Service of the Contractor cannot be oppressive, if they are at the same Time allowed to quit that Business altogether, in case they cannot settle with the Contractor, to their own Satisfaction, for the Price and Conditions of their Labour. Such a Permission would put them on a happier Footing than they have ever yet enjoyed.

" That Government should continue to draw a Revenue from the Article of Salt, appears highly proper and equitable. Suppose the Inhabitants, one with another, to expend a Seer of Salt per Month, (which is a large Allowance), and suppose the Government to draw from it a Revenue of One Rupee per Maund, which would amount to Twenty Lacks; the Charge to each Person would be little more than a Fourth Part of a Rupee in a Year; so mere a Trifle, that it could scarcely be felt. We suppose the utmost; the real Increase of Price since the Year 1772, when the Government took the Salt Manufacture into their own Hands, has not been Half a Rupee per Maund." §

[17th. The continual Variations in the Modes of collecting the Revenue, and the continual Usurpations on the Rights of the People, which have been produced by the Remissness or the Rapacity of the Mogul Government, and, in the English, by the Desire of acquiring a Reputation from a sudden Increase of the Collections, without sufficient Attention to remote Consequences, have fixed in the Minds of the Ryots so rooted a Distrust of the Ordinances of Government, that no Assurances, however strong, will persuade them, that Laws, which have no apparent Object but the Ease of the People and the Security of Property, can be of long Duration, unless confirmed by a stronger Pledge than the Resolution of a fluctuating Administration. Even with the Sanction of the Honourable Court of Directors, Time will be required to reconcile their Beliet to so extraordinary a Revolution in the Principles of this Government.] (a)

" Warren Hastings,
Rich^d Barwell."

Read, from Book 180 already delivered in, the following Extract of a Letter from the Governor General and Council at Bengal to the Court of Directors, dated 3d November 1772.

Par. 22. "When it can be done with Propriety, the entrusting the Collections of the Districts to the hereditary Zemindars, would be a Measure we should be very willing to adopt, as we believe that the People would be treated with more Tenderness, the Rents more improved, and the Cultivation more likely to be encouraged, the Zemindarry less liable to Failure or Deficiencies than the Farmer, from the perpetual Interest which the former hath in the Country, and because his Inheritance cannot be removed, and it would be improbable he would Risk the Loss of it by eloping from his District, which is too frequently practised by a Farmer when he is hard pressed for the Payment of his Balances, and as frequently predetermined when he receives his Farm. (a)

Signed at the End,

Warren Hastings, Rich^d Barwell,
Thomas Lane, W^m Aldersey,
R^t Barker, James Harris,
H. Goodwin."

Read, from Book 184 already delivered in, the following Extract of a Consultation of the 14th of May 1772, beginning at Page 248 of the same Book.

["Fort William, the 14th May 1772.

"At a Committee of Revenue; Present,
The Honourable Warren Hastings Esquire,
William Aldersey, }
Philip Milner Dacres, } Equites { James Harris,
Thomas Lane, } James Lawrell,
Richard Barwell, } Henry Goodwin,
John Graham.

"The Farmer who holds his Farm for One Year only, having no Interest in the next, takes what he can with the Hand of Rigour, which, even in the Execution of legal Claims, is often equivalent to Violence.—He is under the Necessity of being rigid and even cruel, for what is left in Arrear after the Expiration of his Power, is at best a doubtful Debt, if ever recoverable. § ("He will be tempted to exceed the Bounds of Right, and to augment his Income by irregular Exactions, and by racking the Tenants, for which Pretences will not be wanting, where the Farms pass annually from One Hand to another. What should hinder him? He has nothing to lose by the Desertion of the Inhabitants, or the Decay of Cultivation. Some of the richest Articles of Tillage require a Length of Time to come to Perfection; the Ground must be manured, banked, watered, ploughed, and sowed or planted. Those Operations are begun in one Season, and cost a heavy Expence, which is to be repaid by the Crops of the succeeding Year. What Farmer will give either Encouragement or Assistance to a Culture of which another is to reap the Fruits?

"The Discouragements which the Tenants feel from being transferred every Year to new Landlords, are a great Objection to such short Leases: They contribute to injure the Cultivation, and dispeople the Lands. They deprive the industrious Reiat of those Aids, known by the Appellation of "Tuccaabee," so essentially necessary to enable him to purchase Cattle, Seed, and Utensils of Husbandry, which a more permanent Farmer will ever find it his Interest to supply as a Means of promoting an increased Cultivation, and they of Course prove an unsurmountable Obstacle to bringing into an arable State, the immense Tracts of Waste Land which overspread this fertile Country.

"The Defects of short Leases point out, as a necessary Consequence, the opposite Advantages of long Farms.

"From these the Farmer acquires a permanent Interest in his Lands. He will, for his own Sake, lay out Money in assisting his Tenants in improving Lands already cultivated, and in clearing and cultivating Waste Lands. He will not dare to injure the Rents, nor encroach in one Year on the Profits of the next, because the future Loss which must ensue from such a Proceeding will be his own; the Tenants will grow familiarized to his Authority; and a mutual Attachment is at least more likely to proceed from a long Intercourse between them, especially when their Interests are mutually blended, than from a new and transitory Connection which is ready to expire before it can grow into Acquaintance.

"Such are the Arguments which have occurred to us, in Support of the Two Points on which we have already determined, namely, to dispose of the Lands to farm, and on long Leases.

"We are happy to reflect, that the Commands of our Honourable Masters in many of their late general Letters, but especially *

strongly inculcate the same Opinion." § * See in Orig.

[(Signed at the End),

Warren Hastings, W. Aldersey,
Thomas Lane, Rich^d Barwell,
James Harris, H. Goodwin."] (b)

(a) Vide Appendix, N^o CXLIV.

(b) Vide Appendix, N^o CXLV.

The Managers for the Commons informed the House, they should next read a Paper, to shew the Opinion of Mr. Hastings with respect to the Impossibility of a partial Delegation of the Authority of the Superior Council in Matters of Revenue, for the Purpose of introducing another Paper, to prove that he did afterwards make such Delegation so disapproved of by himself, and then sent a partial Representation of it to the Court of Directors.

The Counsel for the Defendant objected, that this was not charged in the Articles, and that if it were, it did not amount to Matter of Crimination, so as to entitle the Managers for the Commons to go into Evidence at all upon the Subject.

The Managers for the Commons in answer stated, That the Allegation intended to be proved was contained in the 7th Article (a); and contended, that the Counsel for the Defendant were not now at Liberty to object to the Admission of Evidence on the Ground of the Effect of it; such Objection, if founded, being Matter in Arrest of Judgement hereafter.

The Counsel for the Defendant waived their Objection for the present.

Read, from Book 190, already delivered in, the following Extract of a Committee of Council of the 28th July 1772, beginning at Page 286 of the same Book.

“ Coſſimbazar, the 28th July 1772.

“ At a Committee; Present,
The Honourable Warren Hastings Esquire, President;
Samuel Middleton,
P. Milner Dacres,
James Lawrell,
John Graham, } Esquires.

“ In the Consideration of the Subject before us, the First Point of Enquiry is, whether the Business of the Dewannee shall be conducted as it hath hitherto been, in Part by the Agency of the Company's inferior Servants, constituting a Board of Revenue at Moorshedabad, or be put under the immediate Controul of the Members of their Administration. We shall not hesitate to determine in favour of the latter; the Revenue is beyond all Question the first Object of Government, that on which all the rest depend, and to which every other should be made subservient. There must be a controlling Power in this Department, it cannot be partially delegated; but in whatever Hands it is lodged it must be absolute and independant. But the Superior Council, which is, constitutionally, the controuling Power, having no Cognizance nor Connection with the inferior Department, can have no Knowledge of what is transacted but from the Informations of the Board of Revenue, which, however fair and impartial, cannot possibly convey that intimate Intelligence which arises from daily Practice, and a direct Communication with the Servants of the Revenue. Without such an Intelligence, what Authority can the Administration possess in the Affairs of the Collections; or, with what Confidence can they issue any Orders for their Improvement, impressed, as they must be, with the Consciousness that they are but imperfect Judges of Matters on which they dictate to others better informed? In effect, all Authority and Command will rest with the Board of Revenue.

(Signed at the End)

“ Warren Hastings,
P. M. Dacres,
James Lawrell,
J. Graham.” (b)

The Managers for the Commons stated, they should next proceed to shew, that the Defendant did make the Delegation he himself had reprobated.

Read, from Book 225, already delivered in, the following Extract of a Consultation of the 9th of February 1781, beginning at Page 663 of the same Book.

“ Fort William, 9th February 1781.

Rev. Dept.
Friday.

“ At a Council; Present,
The Honourable Warren Hastings Esquire, Governor General, President;
and
Edward Wheler Esquire.

Plan for the
future Ma-
nagement of

“ The System which yet subsists, though with many unessential Variations, of superintending and collecting the publick Revenue through the Agency of Provincial Councils, was instituted

(a) Vide Printed Articles;—Art. 7, Par. 18 and 19.

(b) Vide Appendix, N° CXLVI.

for the temporary and declared Purpose of introducing another more permanent Mode, by an easy and gradual Change, by which the Effects of too sudden an Innovation might be avoided. This permanent Plan is methodically and completely delineated in the same Proceedings of the 23d of November 1773 of this Department, in which the Provincial Councils were established. the Revenue of these Provinces.

“ It consists, substantially, in this; that all the Collections of the Provinces should be brought down to the Presidency, and be there administered by a Committee of the most able and experienced of the Covenanted Servants of the Company, under the immediate Inspection *, and with the Opportunity of instant Reference for Instruction to the Governor General and Council. * See in Orig.

“ Conformably to this Design, it is now resolved and ordered;

“ 1st. That a Committee of Revenue, consisting of Four Covenanted Servants of the Company, be immediately constituted; who shall be entrusted with the Charge and Administration of all the publick Revenue of these Provinces, and invested, in the fullest Manner, with all the Powers and Authority, under the Controul of the Governor General and Council, which the Governor General and Council do themselves possess, and shall not reserve exclusively to themselves.

“ 2d. That the first Persons nominated to this Charge be Mr. David Anderson, Mr. John Shore, Mr. Samuel Charters, and Mr. Charles Croftes.

“ 3d. That the Provincial Councils shall be dissolved, and their Charge and Powers transferred to the Committee of Revenue: That the Members of the Councils be ordered forthwith to repair to the Presidency, except the Chiefs of each, who shall remain in the temporary Charge of their respective Divisions, under the Authority of the Committee, until such Time as they shall be recalled by the Orders of the Governor General and Council.

“ 4th. That the Collectors of the separate Districts shall, in like Manner, remain in their respective Stations, under the Authority of the Committee, until such Time as they shall be recalled by Order of the Governor General and Council.

“ 5th. That the Office of Superintendant of the Khalsa Records shall be abolished, and the Office of the Khalsa, with all its Dependant Offices, and all the Functions and Powers appertaining to it, shall be transferred to the Committee of Revenue.

“ 6th. That the Canongoes shall be re-instated in the complete Charge and Possession of all the Functions and Powers which constitutionally appertain to their Office.

“ 7th. That the Committee shall examine and report the present State of the other Offices dependant on the Khalsa, and propose such Alterations as shall appear to them necessary for making them answerable to the Purposes of their Institution, and bringing them under the Controul and daily Inspection of the Committee.

“ 8th. That the Committee shall immediately prepare Establishments for their own immediate Department, and such temporary Establishments as shall be judged necessary for the Collectors of the Divisions or Districts, and shall lay the same before the Board for Approbation.

“ 9th. That such of the Company's Servants as shall be removed from their present Offices in consequence of these Arrangements, shall be permitted to draw the same Allowances as they draw at present, until they shall be appointed to other Offices, or until it shall be the Pleasure of the Board to withdraw this Indulgence.

“ 10th. That the Committee shall meet Three Days in every Week, and as much oftener as their Business shall require;—that they shall form Resolutions and Orders for the current or ordinary Business of their Department, and report to the Board, as they shall happen, such extraordinary Occurrences, Claims, and Proposals, as may require the special Orders of the Board.—That they shall keep regular Minutes of their Proceedings in the customary Form, and do no Act collectively which shall not be recorded therein.—That they shall lay a fair Copy of each Month's Proceedings, together with a summary Report of the same, the Jemma Wauhil Bawkee, or Accounts of Demands, Receipts, and Balances, of each Division or District, and general and particular Accounts of Receipts and Disbursements, and Treasury Accounts of each Month, before the Board on the Fifteenth of the ensuing Month.

“ 11th. That if the Members of the Committee shall differ in Opinion upon any Question before them, the Majority, or the casting Voice of the President or senior Member present, shall decide and form the Resolution of the Whole, but it is not expected that every dissentient Opinion shall be recorded; and where the Case shall be deemed of such Importance as to require it, it shall be immediately referred, together with so much of the Proceedings as have an immediate Relation to it, to the Board; but the Determination of the Majority of the Committee shall not therefore be stayed, unless it shall be so agreed by the Majority.

“ 12th. That the President of the Committee do issue of his own Authority, during the Intervals of their Meetings, such occasional or subsidiary Orders as shall be necessary for carrying into Execution any existing Orders of the Committee, or for personal Attendance, or for preparing Materials for the Inspection of the Committee, or for any such other Purposes as the Committee shall judge it advisable to commit to his separate Charge as their executive Member; and all the Officers, Servants, and Dependants, shall be required and enjoined to yield implicit Obedience to all Orders which they shall receive from him, subject of course to the superior Authority of the Committee. That the other Members of the Committee shall not possess or exercise, individually, the same

Power, except in Cases in which, for the greater Dispatch of Business, they shall agree to divide it into separate and occasional Portions between them, or to assign any special Charge to any Member separately.

" 13th. That a Commission of Two per Cent. on all Net Sums paid immediately into the Treasury at the Presidency, on Account of the public Revenue in the Course of every Month, and a Commission of One per Cent. on all Sums paid to the Treasuries, which remain under Charge of the Collectors, in the Course of each Month, after deducting all Charges incurred in the same Month, shall, on the passing of each Month's Account, be allowed to the Members of the Committee, and their principal Assistants, as the Reward of their Trouble from this Time, or from the First Day of the Month Faugun, to the Conclusion of the ensuing Bengal Year, or to the End of the Month of Cheyt 1188, and shall be shared between them in the following Manner; viz. The Whole being divided into Twenty-five Shares, the President shall take Six Shares, each of the other Members of the Council shall have Five Shares, and the remaining Four Shares shall be divided equally between the Secretary and the present Assistant of the Superintendent of the Khalsa Records, who shall continue to perform the same Duties under the Authority of the Committee, and the occasional Orders of the Board, as he has hitherto done under the Superintendent of the Khalsa Records; and these Allowances shall be in Lieu of all Salaries, Emoluments, and Perquisites whatsoever.

" 14th. Each Member of the Committee shall, on his Admission to his Office, solemnly take and subscribe the following Oath; (viz.):

" I A. B. do swear, That I will faithfully discharge the Office of a Member of the Committee of Revenue; that I will not receive, directly or indirectly, from any Zemindar, Talookdar, Farmer, or other Landholder or Officer, or other Dependant of the Committee, any Present or Gratuity of any Kind whatsoever; neither will I acquire or receive any lucrative Advantages by my Office, but such as shall be publickly allowed me by the Governor General and Council.

So help me GOD."

" Agreed, That a Copy of the foregoing Plan, with Copies of the Letters, hereafter entered, to the Provincial Councils and Collectors, and to the Superintendent of the Khalsa Records, and Mr. Duncan, be delivered to the new Committee with the following Instructions. (a)

Signed at the End,

" Edw^d Wheler."

To shew who was the Person appointed to be Dewan of the Committee of Revenue, Read, from Book 227 already delivered in, the following Extract of a Consultation of the 20th of February 1781, beginning at Page 81 of the same Book.

" Fort William, the 20th February 1781.

Rev. Dept.
Tuesday.

" At a Council; Present,
The Honourable Warren Hastings Esquire, Governor General, President;
and
Edward Wheler, Esquire.

Appointment
of Gonga Govind Sing to
the Office of
Dewan.

" Agreed, that Gonga Govind Sing be appointed Dewan to the Committee of Revenue, and that they be advised of it in the following Letter.

" To Mr. David Anderson, President, &c. Members of the Committee of Revenue.

Com. of Rev.
L. S. No. 20.

" Gentlemen,

" We have this Day thought proper to appoint Gonga Govind Sing to the Office of Dewan to your Committee.

We are, &c.

" Fort William,
the 20th Feb. 1781.

Signed at the End of the Consultation,

" Edw^d Wheler."

The Managers for the Commons informed the House, They would next shew what was the Power and Authority vested in the Dewan.

(a) Vide Appendix, N^o CXLVII.

Read, from the same Book, the following Extract of a Consultation of the 6th of March 1781.

[“ Fort William, the 6th March 1781.

“ At a Council; Present,
The Honourable Warren Hastings Esq. Governor General, President;
and
Edward Wheler, Esq.”]

Rev. Dept.
Tuesday.

§ (“ Extract of the Proceedings of the Committee of Revenue, the 2d March 1781.
“ The Honourable the Governor General and Council having resolved to invest the Committee with the Functions and Powers appertaining to the Office of the Khalsa, and having directed them to examine and report on the present State of the other Offices dependant on the Khalsa, and propose such Alterations as shall appear necessary for making them answerable to the Purposes of their Institutions, the Committee now proceed to take into Consideration these Resolutions and Orders.

“ The Committee reverting to the original Regulations for conducting the Business of the Revenue Department at the Presidency, and that of the Khalsa, observe, that the Principles upon which the System was then established, were founded with a View to the Establishment of some future Committee of Revenue, similar to that which has now taken place.

“ That the Duty of the present Committee is there also defined to consist chiefly in issuing the necessary Orders to the Collectors; in inspecting, auditing, and passing their Accounts; in deciding upon all Points of Reference; and in issuing the necessary Orders, subject to the Approbation and Controul of the Supreme Council.

“ That for carrying into Execution these several Duties, the former Establishment of the Khalsa, with some few Variations, will now also be requisite.

“ That it appears to the Committee, that as the Roy Royan was originally dependant on the Board of Revenue, and directed to attend there, he should also be now considered as an Officer under the Supreme Council.

“ That, with this Capacity, his Duty will still consist in countersigning all such Persian Papers and Orders as are executed by the Supreme Council, or by the Honourable the Governor General.

“ That he may be the better enabled to carry into Execution such Orders as he shall receive from the Supreme Council or Governor General, he be still allowed to call upon the Native Officers under the Committee, for Copies of such Papers in the different Sheristas as he may require.”) §

§ [“ That as the Supreme Council have thought proper to appoint a Dewan to the Committee, it will be the Duty of the Dewan to countersign the Papers executed by them, and carry into Execution such Orders as are given to him, and such Duties as appertain to his Office; to be present at the Meetings of the Committee, and sit with them, to receive their Orders, and to attend the President occasionally, and to report such Matters to him as require his Orders, which he is to obey.

“ That the Roy Royan therefore should not be allowed to interfere in the Business transacted by the Dewan of the Committee, as such Interference would occasion frequent Disputes and great Delay in the Business, which each would ascribe to the other.

“ That the Duty formerly vested in the Roy Royan of superintending the Conduct of the Provincial Dewans, of receiving Accounts from them in the Bengal Language, and of issuing Counterparts of the Orders which the Board of Revenue should expedite to the Collectors, will now become unnecessary.

“ That with respect to such Provincial Dewans as remain in the Districts where Collectors are stationed, they should continue to act under the Directions of those Collectors to whom the Committee will expedite their Orders.

“ That with respect to such Provincial Dewans and Naibs as reside in Districts where there are no Collectors, the Committee will also issue their Orders to them through their President, and such Orders are to be countersigned by the Dewans of the Committee.

“ That the Collectors be accordingly directed to address the Persian and Bengal Copies of such Accounts as they shall send to the Committee to the Dewan of the Committee, under Cover directed to the President and Committee; and that Orders be issued to the Provincial Dewans and Naibs who reside in Districts where there are no Collectors, to adopt the same Mode of Address.

“ That the executive Business appertaining to the Collection of the Rents of the Huzzoory Mehals, will principally rest with the President of the Committee and Dewan, subject to the Orders of the Committee.”]

§ (“ That the Accountant General of the Dewanny will still continue to perform the Duties described in the old Regulations of the Khalsa, or such other Functions as may have since been prescribed by the Honourable Board.

- “ That all the Accounts of the Revenue Department will as usual be carried to his Office.
 “ That therefore the Establishment of an Accountant's Office for the Committee will be unnecessary, but the Duties of such an Appointment may be performed by a Sub Accountant.
 “ That the Duty of a Sub Accountant will be to receive the Accounts transmitted to the Committee, deliver them to the Accountant General's Office, and prepare Statements of the Kists due from the Huzzoory Mehals, more immediately under the Committee, monthly Towjees of the same, with such other Accounts as he may be directed to furnish.
 “ That he be therefore considered as an Officer jointly under the Committee and Accountant General.
 “ That the official Establishment for the Royroyan, specified in the above Regulations of the Khalsa, will not in future be considered as a Part of the Establishment of the Committee, but separate from it.
 “ That instead of the above Office, an Establishment for the Dewan of a Number of Native Officers, sufficient to enable him to execute the Duties appertaining to his Appointment, be made.
 “ That a separate Office for the Huzzoor Tehfeel, as mentioned in the old Regulations of the Khalsa, will now become unnecessary, as the Duties of this Office will be performed by the Dewan and the Officer under him.
 “ That with respect to the Canongoes Office, it will become the Subject of future Consideration, when the Committee proceed to carry into Execution the Orders of the Honourable Board for the Establishment of the Canongoes.
 “ That the Establishment of a general Treasury Office, as described in the above Regulations of the Khalsa, will still be necessary; but that to facilitate the Receipt of the Revenues, to check the Accounts, and preserve Regularity in them, it is the Opinion of the Committee, that a subordinate Treasury Office should be established for the Collections of that Part of the Huzzoor Tehfeel, made by the Committee themselves, or their Officers immediately under them.
 “ That in order to prevent all Confusion in Terms, the general Treasury of the Committee do still retain the Name of The Khalsa Treasury, and that the subordinate Treasury Office be denominated The Running Treasury.
 “ That with respect to the other subordinate Offices dependant on the Khalsa, it will be necessary to retain them with some Variations, and they will still continue the Functions described in the above Regulations, or such others as shall be prescribed.
 “ The Committee having premised the Observations necessary for carrying into Execution the Orders of the Honourable the Governor General and Supreme Council, now proceed to form their Establishment.

[Vide Paper annexed.]

- “ That as nothing contributes more to an expeditious and regular Dispatch of Business than general Forms and Rules, the Committee think it necessary to pass the following Resolutions for their own Guidance, and that of their Officers under them.

“ Collection of the Revenues of the Huzzoor Tehfeel.

- “ That Tullub Chitties be regularly issued on the 20th of each Bengal Month, for One Half of the Kist of the Huzzory Mehals for the same Month.
 “ That on the 30th of each Bengal Month, Tullub Chitties be issued for the remaining Half of the Kist of the same Month.
 “ That on the 5th of the ensuing Month (Bengal Month) Duftucks be issued for the Renters in Arrears.
 “ That to obviate the Inconveniencies which have arisen from the Dilatoriness of the Zemindars and Farmers, in discharging their Rents at the stipulated Periods of their Kistbundeas, and to constrain them in future to be more punctual in their Payments, it be declared to them, that on all Sums remaining in Arrears Fifteen Days after the Expiration of the Period of the Kist, a Percentage of One Rupee shall be levied over and above the Amount of their Cabooleats.
 “ That on such Part of the Kist of One Month as remains in Arrears after the Expiration of the following Kist, Two per Cent. be levied; and that upon the Deficiencies of every subsequent Kist the same Penalty be levied in the same Proportion.
 “ That these Regulations extend to the Zemindars and Farmers of all the Mehals within the Divisions of Calcutta, Moorshedabad, Burdwan, and Dinagapore, as the Situation of these Divisions are sufficiently contiguous to enable them to complete their Engagements within the Periods above specified.
 “ That the Dewan do deliver in an Account of the Seah or Receipts to the President, signed by himself, daily; and that the President do lay the Account before the Committee at each Meeting. These Accounts to be deposited with the Sub Accountant.
 “ That the Amount of the Sums brought into the Seah Account of each Day in the subordinate Treasury, be paid in the Evening into the Khalsa Treasury.

“ Khalsa

" Khalfā Treasury.

" That all Remittances from the Collectors and Chiefs be immediately carried to the Khalfā Treasury, and deposited there.

" That all Disbursements whatever be made from the Khalfā Treasury.

" That all such Sums as are paid according to fixed Establishments, be paid to an Order of Treasury, signed by the President of the Committee and Accountant General, and countersigned by the Dewan.

" That all Disbursements, not included in fixed Establishments, be previously laid before the Committee, who will, if proper, pass an Order for their Payment; after which the Order on the Treasury will be signed by the President and Accountant General, and countersigned by the Dewan.

" That as often as the State of the Treasury admits, Remittances be made from the Khalfā to the General Treasury.

" That these Payments be made to an Order signed by the President and Accountant General, and countersigned by the Dewan; and that the Sub Treasurer do give a Receipt for every Sum so paid into the General Treasury; which Receipts are to remain with the Kezanckee of the Committee, to be produced with the Monthly Treasury Account.

" That the Committee, on the 6th of every English Month, or the next Committee Day ensuing, do examine and audit the Monthly Treasury Accounts, previous to laying before the Supreme Council.

" That on the first Day of every English Month, or next Committee Day ensuing, they do examine the Report upon the Towjee Accounts of the different Collectors and Chiefs, and pass such Orders and Resolutions thereon as they shall deem necessary.

" That the Accountant General do also continue to report upon the Accounts, Charges, and Treasury Accounts of the Collectors and Chiefs, which the Committee will take into Consideration, and pass their Orders upon the 6th of every Month.

" Cal. Com^o of Rev.

" A true Copy.

March 2d, 1781.

(Signed)

J. Evelyn, Secy." §

[Signed at the End of Consultation,

Edw^d Wheler.] (a)

The Managers for the Commons stated, They would next read an Extract of a Letter from the Board to the Court of Directors, giving an Account to the Directors of the above Establishment, bearing Date the 5th of May 1781, but in Fact to be considered as a Letter of the 15th of May, the Postscript being dated the 15th of May 1781; after which they would proceed to shew, that the larger Zemindaries were at that Time actually let contrary to the particular Mode pointed out in the Extract about to be read, as that which ought to be the Mode of letting them.

Read, from Book 29 already delivered in, the following Extract of a Letter from the Governor General and Council at Fort William to the Honourable the Court of Directors, dated the 5th of May 1781.

Par. 28. " The Committee, in consequence of our Orders to consider and lay before us a Plan for the Settlement of the Revenues for the Bengal Year 1188, have delivered us One for that Purpose, formed on the following Principles. Consultation 6th March.

29. " In fixing the Amount of the Settlement, they propose as the simplest and easiest Mode, to take the highest actual Collections that have been made in any One Year from 1178 to the present Time, and from an Examination of the Remissions since granted, and a Comparison of the Hultabood Accounts and the Receipts of other Years, to form a Judgement as to the Cause of the Decrease of the Jumma which has since appeared, passing a Decision whether that Amount shall be continued, decreased, or increased; and with regard to the Mode of the Settlement, to leave the Lands generally with the Zemindars, making the Settlement with them, particularly in the larger Zemindaries, such as Nuddea, Radshahy. Dinagepore, &c.

30. " Where Women or Minors are Zemindars, they propose to prevent the Confusion generally arising from this Circumstance, by fixing a Responsibility upon some Person to whom they can constantly have Access, and upon whom they can enforce their Orders, and for that Purpose to join with them in the Management their Principal executive Officer, either as Malzamin or Agent, who by annexing his Seal to the Agreement signed by the Zemindar, shall bind himself to pay up the Revenues Kist by Kist; so that his own private Fortune being rendered responsible for the public Revenue, it may be his Interest to manage the Affairs of the District with Attention and Economy, and to discharge punctually the Amount of the monthly Kists.

(a) Vide Appendix, N^o CXLVIII.

31. " As several Divisions contain a Number of petty Talookdars, with whom a Settlement has been made by Government, the Committee propose that such Divisions, and particularly such Parts of them as are now immediately under their Department, or are to be put under it, shall be let to Farmers; as they would otherwise be greatly embarrassed and impeded in their general Business, by entering into the Detail of a Settlement with a Number of petty Farmers and Talookdars: That for these, Publication be made signifying, that sealed Proposals will be received for the Farm of them, the Committee reserving to themselves the Power of rejecting such Offers as they may deem inadequate, or such as are made by Persons who want Knowledge or Responsibility.

32. " They propose lastly, That the Period of the Leases shall be limited to One Year, and that a Preference be given at the Settlement of the next to such Persons as shall have paid up their Rents, making an Engagement to this Effect on the Part of Government; and that the Settlement be formed by themselves in as many Cases as they can, leaving it in others with the Collector, or the Officer of Government.

consultation
8th March.

33. " The Whole of the Plan recommended by the Committee received our Approbation, except that Part wherein they propose, in some Cases, to leave the Detail of the Settlement with the Collector, or the Officer of Government; in respect to which, we deemed it inconsistent with the Office of the Person who was to have the Collections of the Settlement, that he should have any Concern in the Formation of it; we therefore directed, that for such Districts as could not be immediately settled by the Committee with the Zemindars, or Agents deputed by them, Persons should be expressly deputed from the proper Offices to form the Settlements upon the Spot, which should be also made, and finally concluded by themselves.

consultation
8th March.

36. " Deeming the Duty of preparing the monthly Audit of the Accounts of the Revenue Department for the Member of the Council Auditor of the Week, by Mr. Croftes our Accomptant General in this Department, incompatible with his Office as a Member of the Committee of Revenue; we have delegated this Trust to Mr. Larkins, Accomptant General to our General Department, so far as respects the Examination of the Treasury Account of that Committee, with Directions to lay before us a monthly Report for the Audit of it. For the more particular Nature of this New Office, and the Motives which induced us to grant Mr. Larkins, as a Reward for the present and former Services which he has rendered the Company, the Compensation minuted on our Proceedings, we beg Leave to refer you to them as noted in the Margin, and doubt not of their meeting your Approbation.

37. " We cannot close our Advices of the Proceedings of this Department, without making some Observations upon the Nature and Design of its Institution, which its apparent Novelty, the liberal Endowments annexed to it, and the unavoidable Severity with which a Change so extensive and important in the Constitution of the principal Administration of your Affairs, has fallen on the Interests of Individuals, may render necessary to obviate any possible Misconception of it to our Prejudice in your Opinions.

38. " We shall not be surprized if we find it imputed to the Love of Innovation; a Charge which has been frequently laid against your Administration of these Provinces, and which we conceive to be unavoidable in a great Government, which, like this, has been suffered so long to exist on Expedients, in Default of a fixed Constitution. In such a State, every Change of Influence must be productive of a Change of Measures, whether dictated by Caprice, Self-interest, or Integrity; and the Influence of the latter must yet operate to the Introduction of many more, and greater Improvements, before this Government can attain that Degree of Perfection, or your Property in it that permanent Value, of which we think it capable. Though such is our Opinion of Innovations in general, and we mention it only that we may not be supposed to condemn the Principle in other Instances by the Disavowal of it in one, yet we must declare, that in no Act of our Administration have we observed a greater Consistency, or a closer Attention to fixed Principles, than in this. The System which we have thus attempted to establish, was first devised by the President and Council of this Presidency in the Year 1773, and made a Part of the same Resolution which distributed the Charge of the Collections among the late Provincial Councils. These Establishments were declaredly formed for the Purpose of introducing the former, and were intended to be gradually withdrawn, as Experience might render them no longer necessary. The Committee itself was immediately formed; and to give it the greater Dignity, Two Members of the Superior Council were appointed to superintend it; although it then differed only in Name from the other Provincial Councils, and its destined Functions were reserved for a future Arrangement.

39. " Why the Design failed in its Effect, and the Provincial Councils were permitted to remain during so long a Course as Seven Years, in Contradiction of their professed Institution, it is unnecessary to mention. It is sufficient to say, that the Necessity for reverting to the original System, if its Principles were just, was never so great as it was at the Time in which it took place, and in which the Preservation of the Company's Interests in every Part of India depended upon the Resources of this. We may add, that had the same Necessity existed at any preceding Time, the Change could not have been effected. We have now resolved to carry it into Execution, and shall be content to leave the Proofs of its Utility to a short Trial; but it will rest with your Wisdom to give it Permanency, by correcting its Defects, and by obtaining the Sanction of Parliament.

ment for its Duration, under the Form which shall be ultimately given to it. With respect to the Institution itself, it is essentially, and almost minutely the same as the Plan which was laid down for it in Consultation of the 23d of November 1773, to which we beg Leave to refer you, and for that Purpose to transmit a complete Copy of it, a Number in this Packet.

40. " The Allowances granted to the Members of this Board, if compared with the ostensible Emoluments which have been annexed to other Offices of this Service, will appear enormous, and the Principle on which they are formed is in its Application new, though not in Speculation; neither is this the first Instance of it. Our Aim has been to preclude all clandestine Perquisites, to bind the Zeal and Fidelity of your Servants entrusted with this great Charge by the Ties of Gratitude and Honour, and to make their Interest subservient to yours by proportioning the Rate of their official Emoluments to the Success of their official Labours, or in other Words, to the Augmentation of the publick Revenue, and the Diminution of its Expences. We wish to apply the same Principle to every other Department of your Service which will admit of it; and we intreat that you will afford us your Credit for the Justice and Expediency of it, on the Motives which we have thus briefly stated, without expecting that we should have entered into a more minute, but invidious Explanation of them.

41. " In this, as it must be the Case in every Reformation, the Interest of Individuals has been our principal, if not our only Impediment. We could not at once deprive so large a Body of our fellow Servants of their Bread without feeling that Reluctance which Humanity must dictate, not unaccompanied perhaps with some Concern for the Consequence which our own Credit might suffer by an Act which involved the Fortunes of many, and extended it's Influence to all their Connections.

42. " This, added to the Justice which was due to your Servants, who were removed for no Fault of theirs, but for the public Convenience, induced us to continue their Allowances until other Offices could be provided for them, and the more chearfully to submit to the Expediency of leaving others in a temporary or partial Charge of the internal Collections. In effect, the Civil Officers of this Government might be reduced to a very scanty Number, were their Exigency alone to determine the List of your Covenanted Servants, which at this Time consists of no less a Number than Two hundred and fifty-two, many of them the Sons of the First Families in the Kingdom of Great Britain, and every One aspiring to the rapid Acquisition of Lacks, and to return to pass the Prime of their Lives at Home, as Multitudes have done before them; neither will the Revenues of this Country suffice for such boundless Pretensions, nor are they compatible with your's and the national Interests, which may eventually suffer as certain a Ruin from the Effects of private Competition and the Claim of Patronage, as from the more dreaded Calamities of War, or the other ordinary Causes which lead to the Decline of Dominion.

43. " We dare not pursue this Subject, nor could we without a Sacrifice of our Duty withhold this brief Suggestion of it from your Notice.

(Signed at the End of the Letter)

Edw^d Wheler." (a)

The Managers for the Commons desired the Date of the Postscript, at the End of the same Letter, might be read.

The same was read accordingly, as follows:

" Fort William, the 15th May 1781."

Then the Managers for the Commons desired Mr. Hudson might be called in.

Mr. HUDSON was accordingly called in, and examined as follows:

Q. At what Time was the Letter of the 5th of May, with the Postscript of the 15th of May, received in England, and by whom was it received?

A. The Letter was received in Duplicate by the Swallow, on the 3d of June 1782.

Q. When was the Original received?

A. Never, I believe.

Q. Was the Letter never received till it came by the Swallow?

A. Never.

Q. Who brought it to the East India House?

A. It came in the Packet—it is marked, " Received by the Swallow, 3d of June 1782."

The Witness was directed to withdraw.

Then the House adjourned to the Chamber of Parliament.

Die Jovis, 25^o Februarii 1790.

THE Lords being in their Places, the House resumed, the usual Proclamations made, and the Defendant appearing at the Bar, the Lord Chancellor acquainted the Managers for the Commons they might proceed to make good their Charge.

The Managers for the Commons stated, That the Counsel for the Defendant having intimated to them a Desire to have a Paragraph in the Letter from Edward Wheler Esq. to the Court of Directors, dated the 5th of May 1781, and last produced in Evidence by the Managers for the Commons, read, previous to the Evidence about to be offered by them To-day, they had no Objection thereto.

Accordingly the same was read from Book 29 already delivered in.

Par. 34. "It being our Desire to remove every Interference and Embarrassment from the present System of Controul, to render it uniform, and to afford every Relief and Ease, both to the Riots and to the Zemindars, which may be consistent with it, and conformable to the ancient Constitution of the Country, we have recommended it to the Committee to give all due Encouragement to such Applications as they may receive from the Zemindars for the Payment of their Rents immediately to the Khalsa, for the Restoration of their ancient Jurisdiction, and the consequent Abolition of that of the Fouldarry, and for the Settlement of a fixed Revenue during the Lives of the actual Incumbents; informing them at the same Time, that we shall expect from the Zemindars in return, an Increase of their Revenue, proportioned to the Advantages which they will derive from this Indulgence. (a)

(Signed at the End)

Edw^d Wheler."

The Managers for the Commons stated, that it was their Intention next to have shewn, that the before-mentioned Establishment, which, it was pretended, was to be an Establishment of Oeconomy, was, in fact, an Establishment of great Expence. But the Evidence not being at hand, they would in the mean Time proceed to prove what was the Character of Gunga Govind Sing, whom Mr. Hastings had put in the high Situation already described.

Read. from Book 229, the following Extract of a Consultation of the 12th of May 1775, beginning at Page 658 of the same Book.

"Fort William, the 12th May 1775.

"At a Council; Present,
The Honourable Warren Hastings, Governor General, President;
Lieutenant General Clavering,
The Honourable George Monson,
Richard Barwell, } Esquires.
Philip Francis, }

Rev. Dept.
Friday.

"Mr. Francis.—I move, that Gunga Govind Sing be dismissed from his Employment in the Company's Service.

"I pay little Regard to the Evidence of Cumal a Dien Cawn. The Confession made by Gunga Govind Sing, convicts him of a specific Offence, for which, in my Opinion, he ought to be dismissed from his Employment. His general Character, as I am well informed, is infamous in an uncommon Degree; that Reason alone, independant of any particular Charge, would induce me to exclude him from any Office of Trust in the Company's Service.

(a) Vide Appendix, N^o CL.

" Mr. Barwell.—During my long Residence in this Country, this is the first Time that I have heard the Character of Gonga Govind Sing being infamous. No Information I ever received, though I have heard many People speak ill of him, ever pointed to any particular Act of Infamy committed by Gonga Govind Sing. I have no intimate Knowledge of Gonga Govind Sing. What I understand of his Character has been from Natives as well as Europeans. I am against his Dismission.

" Mr. Monson.—Cumul ul Dien Cawn I understand to be a Man of an equivocal Character; I therefore should not regard his Charge against Gunga Govind Sing, if I had not heard, since my short Residence in this Country, that Gunga Govind Sing is a Man of a most rapacious Disposition; which Character, I think, is confirmed by the Wealth and Affluence he now enjoys, being esteemed one of the most wealthy Inhabitants of Calcutta. I think a Person of an avaricious Disposition and high Ambition is not proper to be entrusted in the Company's Service, especially with that Degree of Influence which I am told he possesses over the Minds of many principal People in this Country; I therefore think he should be removed from his present Employment.

" General Clavering.—The Causes of the Decrease of the Revenue, and the great Increase of the Balances, I have endeavoured to account for, in my Minute on the Petition of the Rajah of Rajeshaby; I should be wanting in the Performance of that Trust and Confidence which the Legislature placed in me when it appointed me one of the Council of Bengal, if I did not use my best Endeavours to remove those Causes to which the Company are to attribute the Loss they have sustained in the Revenue; a corrupt Duan of the Province is the great Channel through which all those Evils have passed of which I have spoken; and I think it incumbent on me to declare, that in this Instance, and every other where I have Proof or Suspicion that a Duan is corrupt, I will give my Vote to remove him. On the Evidence therefore before me, I think Gonga Govind Sing should be removed from his Place of Duan of the Calcutta Provincial Council.

" Governor General.—I am against the Question, because I know of no Fault that he has committed, and have very good Reason to believe that he by no Means merits the Character which has been reported of him to Mr. Francis.—He had many Enemies at the Time that he was proposed to be employed in the Company's Service, and not One Advocate among the Natives, who had immediate Access to myself; I think, therefore, if his Character had been such as has been described, the Knowledge of it could hardly have failed to have been ascertained to me by specific Facts. I have heard him loaded, as I have many others, with general Reproaches, but have never heard any one express a Doubt of his Abilities.

" Resolved he be dismissed from his Station of Naib Duan to the Provincial Council of Calcutta; and the Council advised accordingly (a).

Signed at the End of the Consultation,

" Warren Hastings,
J. Clavering,
Geo. Monson,
Rich^d Barwell,
P. Francis."

The Managers for the Commons stated, they should next proceed to prove, that the Moment Mr. Hastings acquired a Majority in the Council at Calcutta, he re-instated Gunga Govind Sing in his Office, and was blamed for so doing by the Court of Directors.

Read, from Book 206, the following Extract of a Consultation of the 8th of November 1776, beginning at Page 450 of the same Book.

" Fort William, the 8th November 1776.

" At a Council; Present,

The Honourable Warren Hastings, Governor General and President;

Richard Barwell, and } Esquires.
Philip Francis,

Rev. D^{ty}.
Friday.

Gov. Gen.
Motion in fa-
vor of Cawn
Jahan Cawn,
and Gonga
Govind Sing.

Mr. Francis's
Opinion.

Mr. Barwell's
Opinion.

" Governor General.—I move that Cawn Jahan Cawn, the late Fouzdar of Houghly, and Gonga Govind Sing, the late Naib of the Khalsa and Dewan of the Calcutta Division, be re-instated to their Offices; and that Application be made to the Nabob for the Removal of the present Phozdar Mirza Mohdy Nissar, and for the Re-appointment of Cawn Jahan Cawn.

" Mr. Francis.—I am against the Motion. The Offices are not theirs, and I know no Reason for the Removal of the present Possessors.

" Mr. Barwell.—I approve of the Motion.

" Resolved, agreeably to the Governor General's Motion. (b)

Signed at the End of the Consultation,

" Warren Hastings,
Rich^d Barwell,
P. Francis."

(a) Vide Appendix, N^o CLI.

(b) Vide Appendix, N^o CLII.

Read, also, from the same Book, Page 471, the following Extract of a Consultation of the 12th of November 1776.

" Fort William, the 12th November 1776.

" At a Council; Present,
The Honourable Warren Hastings, Governor General, President;
Richard Barwell, } Esquires:
Philip Francis, }

Rev. Dept:
Tuesday.

" In the Appointment that the Governor General has made of Officers to fill the new Office, he has very particularly set forth the Merits of Gunga Govind Sing, whom he had but a few Days before restored to his Office of Duan to the Calcutta Committee, as if the Office of Right belonged to him; it must be remarked, however, that the Governor General has been very guarded in not adding official Probity in the Encomiums which he has so liberally given to him. It is very well known, that he was dismissed from his Office on an Accusation of Comaul ul Deen Cawn, whose Testimony the Governor General cannot but admit, particularly as the Fact has been established in the Supreme Court, on the Trial of Mr. Fowke, that he, Gunga Govind Sing, had taken from him Twenty-two thousand Rupees collusively for certain Purposes, and for which he was to allow Comaul ul Deen to run a certain Quantity of Salt. (a)

Signed, at the End of the Consultation,

" Warren Hastings,
Rich^d Barwell,
P. Francis."

The Counsel for the Defendant desired that the Governor General's Minute preceding the above Extract of General Clavering's Minute, and also his Answer to the said Minute of General Clavering, might be read.

Read, the following Extract from Page 457 of the same Book.

§ (" Extract of the Governor General's proposed Establishment for the New Office.

" The known Abilities of Ganga Govin Sing will justify the Preference shewn to him in this Appointment.—The Business in its Detail must be conducted by a Peshhar. The Gentlemen to whom the Governor General proposes to commit the Direction of it, will think it no Derogation from their Characters, of which no Man can have an higher Estimation than he has, or a more perfect Reliance on their Integrity, if he expresses it as has * Opinion, that the greatest Experience which can fall to the Lot of any Covenanted Servant of the Company, will prove unequal to the minute Investigation of all the progressive Operations of the Revenue in this Country, without the Aid of that professional Knowledge which is possessed by the native Muttasiddies of Bengal, of whom Ganga Govin Sing is incontestably the First. * Sic in Orig.

" For the Reimbursement of the Charges of this Office, should the Amount prove so considerable as to require it, a small Fee may be taken on each Aumul-nama or Cabulecat to be granted in the future Settlement, which will not effect the Jumma, nor be felt at such a Time by those who will be required to pay it. (b)

(Signed) " Warren Hastings."

Signed, at the End of the Consultation,

" Warren Hastings,
Rich^d Barwell,
P. Francis."

The Counsel for the Defendant informed the House, That there was another Minute of Mr. Hastings, in which he states the Probity of Gunga Govind Sing as unimpeachable; but as they could not immediately point it out, they would defer the Production of it till another Time.

The Managers for the Commons stated, They would next proceed to shew what was the Opinion of the Court of Directors of the above Transaction.

Read, from Book 108, the following Extract of a Letter from the Court of Directors to the Governor General and Council at Fort William in Bengal, dated 4th July 1777, beginning at Page 759 of the same Book.

Par. 44. " The Roy Royan was the regular Channel of such Communications as require the Interposition of a Native, and not Gunga Govind Sing, whose Dismission from the Calcutta Com-

(a) Vide Appendix, N^o CLII.

(b) Vide Appendix, *ibid*.

mittee had rendered him an improper Person to transact Affairs of such Moment to the Company.

Signed, at the End of the Letter,

" Henry Fletcher,	George Wombwell,
John Smith,	W. Devaynes,
John Harrison,	J. Purling,
Cha ^r Boddam,	Fred ^k Pigou,
R ^d Hall,	John Roberts,
Samuel Peach,	Jn ^o Michie,
George Cuming,	Rich ^d Becher,
Tho ^s Rumbold,	George Tatem,
Joseph Sparkes."	

The Managers for the Commons stated, they would next proceed to shew the Use for which Mr. Hastings employed Gunga Govind Sing, when he was Dewan to the Calcutta Committee.

Read, the following Extract of a Letter from William Larkins Esq. to William Devaynes Esq. Chairman, or to the Chairman for the Time being, of the Honourable the Court of Directors, dated Calcutta, 5th August 1786, beginning at the 18th Paragraph of the same.

18. " Although Mr. Hastings was extremely dissatisfied with the Excuses which Gunga Govind Sing assigned for not paying Mr. Croftes the Sums stated by the Paper, N^o 1, to be in his Charge, he never could obtain from him any further Payments on this Account." (a)

The Managers for the Commons stated, they would next produce an Account annexed to the above Letter, to shew that Gunga Govin Sing was at that Time a public Defaulter.

The same was read, as follows :

" No. I. D U P L I C A T E.

" COPY of the Particulars of the Dates on which the component Parts of sundry Sums included in the " Account of Sums received on the Account of the Honourable Company by the Governor General, or paid to their Treasury by his Order, and applied to their Service," were received for Mr. Hastings, and paid to the Sub-Treasurer.

" D I N A G E P O R E.

" From 29 to 31 Sanwun 1186	—	89,999	0	0
17 to 21 Bhaudun	—	49,974	0	0
1 to 5 Affin	—	27,000	0	0
8 Poofe	—	25,000	0	0
10 —	—	15,000	0	0
27 —	—	10,000	0	0
29 Maug	—	20,000	0	0
2 Faugun	—	20,000	0	0
4 —	—	9,000	0	0
12 —	—	1,000	2	0
9 Saurvum	—	40,000	0	0
			3,06,973	0 0
18 and 19 Affin paid Mr. Croftes	—	2,00,000	0	0
			1,06,973	0 0
			9,310	0 0
Balance in Charge of G. G. S.	—		97,663	0 0

(a) Vide supra Appendix, N^o CXXXI.

" P A T N A:

(1191)

“ P A T N A.

12	Cheite	—	—	15,000	0	0	
18	—	—	—	10,000	0	0	
22	—	—	—	60,000	0	0	
23	—	—	—	5,000	0	0	
23	—	—	—	10,001	0	0	
28	—	—	—	60,000	0	0	
10	Byfack	—	—	10,000	0	0	
10	—	—	—	26,000	0	0	
12 to 14	—	—	—	20,000	0	0	
14	—	—	—	4,000	0	0	
2	Affin	—	—	1,800	0	0	
					2,21,801	0	0
15 and 16 Byfack, paid Mr. Crottes				—	2,00,000	0	0
Balance				—	*	21,801	0 0

“ N U D D E A.

15	Cawtic 1187,	—	—	16,001	0	0	
27	—	—	—	20,000	0	0	
28	—	—	—	20,000	0	0	
30	—	—	—	10,000	0	0	
4	Augun	—	—	7,749	0	0	
7	—	—	—	5,000	0	0	5,000 too much.
9	—	—	—	25,000	0	0	
	No Date	—	—	1,250	0	0	
24	Augun	—	—	15,000	0	0	
17	Poose	—	—	15,000	0	0	
22	—	—	—	20,000	0	0	
					1,50,000	0	0
11 Augun, paid to Mr. Crottes				—	1,50,000	0	0

“ Paid to Mr. Crottes :

19	Affin,	2,00,000
16	Byfack,	2,00,000
11	Augun,	1,50,000
		5,50,000

“ Memorandum of the Cabooliats attended to in the above.

	Cabooliats.	Received.	Balance.
Dinagapore Peishcush	4,00,000 0 0	3,00,000 0 0	1,00,000 0 0
Nuddea	1,50,000 0 0	1,50,000 0 0	
Patna	4,00,000 0 0	2,00,000 0 0	2,00,000 0 0

(A true Copy.)

(Signed)

“ W^m Larkins.

5th August 1786.” (a)

The Managers for the Commons stated, They would next proceed to shew what the Dissatisfaction of Mr. Hastings towards Gunga Govind Sing, mentioned in the above Extract from Mr. Larkins’s Letter, was.

Read, from Book 228, the following Extract of a Consultation of the 16th of February 1785, beginning at Page 227 of the same Book.

“ Fort William, the 16th February 1785.

“ At a Council; Present,

• The Honourable John Macpherlon Esquire, Governor General, President;
and
John Stables Esquire.

Rev. Dept.
Wednesday.

“ The Secretary lays before * the following Minutes, and Papers accompanying them, from the * Sic in Orig.
late Governor General.

(a) Vide supra Appendix, N^o XLIX.

16th February,
Minutes of the
late Gov. Gen.
laid before the
Board by the
Secretary.

Governor General's Minute
with Petitions
for Sunnuds
to be granted
Gunga Govind Sing, &c.

" The Governor General—The Regret which I cannot but feel in relinquishing the Service of my Honourable Employers would be much imbibited, were it accompanied by the Reflection that I had neglected the Merits of a Man, who deserves no less of them than of myself, Gunga Govind Sing, who, from his earliest Youth, had been employed in the Collection of the Revenues, was, about Eleven Years ago, selected, for his superior Talents, to fill the Office of Dewan to the Calcutta Committee. He has, from that Time, with a very short Intermission, been the principal native Agent in the Collection of the Company's Revenues; and I can take upon myself to say, that he has performed the Duties of his Office with Fidelity, Diligence, and Ability. To myself he has given Proofs of a Constancy and Attachment which neither the Fears nor Expectations excited by the Prevalence of a different Influence could shake, and at a Time too when these Qualities were so dangerous, that far from finding them amongst the Generality of his Countrymen, I did not invariably meet with them amongst my own. With such a Sense of his Merits, it is natural that I should feel a Desire of rewarding them; for Justice, Gratitude, Generosity, and even Policy demand it. And I resort to the Board for the Means of performing so necessary a Duty, in full Confidence that as those which I shall point out are neither incompatible with the Company's Interests nor prejudicial to the Rights of others, they will not be withheld from me. At the Request therefore of Gunga Govind Sing, I deliver the accompanying Durkhasts, or Petitions, for Grants of Lands lying in different Districts, the total Jumma, or Rent, of which amount to Rupees 2,38,061 : 12 : 1. The Petition marked A, is presented in the Name of his Trustee Rhada Gobind Ghose, and solicits a Grant of Lands which are now totally vacant; the annual Rent now received by Government from those Lands is 75,533 : 6 : 10; Gunga Govind Sing offers to pay the same Rent, with a Peishcush, or Fine, of Sicca Rupees 28,000. The Petition marked B is presented in the Name of another Trustee, named Bridjoo Kishore Ghose, and is for Lands which, though occupied, have no legal Owner; the annual Rent now payable to the Company for those Lands is 92,528 : 4 : 15. He engages to pay the same Rent, with a Peishcush, or Fine, upon receiving the Sunnud, of Sicca Rupees 27,000 : 0 : 0. The Third Petition, marked C, requests only a Sunnud for Lands which he has actually purchased in the Name of his Trustee Rhada Gobind Ghose, of the Persons, and upon the Terms, specified in the several Papers annexed to that Petition, and marked 1, 2, 3, 4. These Lands, whilst possessed by their late Owner, yielded to Government a Revenue of about Seventy thousand Rupees, and they will continue to do the same in the Possession of Gunga Govind Sing.

" For some of these Lands he had, during my Absence from Calcutta, presented Petitions to Mr. Wheeler, who referred them to the Committee of Revenue, where they were examined and approved, but have never yet received the Confirmation of the Board. For the Lands which he has actually purchased, I presume, there cannot be the smallest Objection to giving him a Sunnud; nor do I suppose that the Board will hesitate to give him Sunnuds for those comprized in the Petition marked A, since they are, to my own Knowledge, vacant, and confessedly, therefore, by the Laws of this as well as of most other Countries, in the absolute Gift of Government. These, if not bestowed on Gunga Govind Sing, will probably be granted to others much less deserving of them. The Lands included in the Petition marked B, though no Person has a legal Claim to them, are not without immediate Occupiers. Possession gives the Appearance of a Title which the Board will not perhaps chuse to set aside without Investigation; and upon this Petition therefore I shall not urge an instant Decision.

" That I may not be considered as requesting, even in Behalf of a Man who has so long and faithfully served the Company, and who has consequently some Claims upon their Justice and Generosity, an Indulgence which can in the smallest Degree prejudice their Interests, I beg Leave to repeat, that these Grants can be attended with no Loss to Government; for he engages to pay the utmost annual Rents which the Lands have ever yet produced, besides a Peishcush, or Fine, upon his receiving the Sunnuds, of Fifty-five thousand Rupees; the Company consequently, instead of losing by the Grants which Gunga Govind Sing solicits, will not only gain the Peishcush, or Fine, but will ultimately benefit in the superior Cultivation which the Lands themselves will receive from a Possessor, in all Respects so well able to improve them (a).

(Signed) " Warren Hastings."

At the End of the Consultation,

" John Macpherson,
John Stables."

The Managers for the Commons stated, they would now call Mr. Wright, the Accountant of the East India Company, for the Purpose of shewing what was the Expence of collecting the Revenue of the East India Company under the old Establishment, and what was the Expence of collecting that Revenue under the new one.

(a) Vide Appendix, N° CLIII.

Accordingly Mr. WRIGHT was called in, and being sworn, was examined as follows :

Q. What Book is that you have in your Hand?

A. The Proceedings of the Council of Revenue upon the 1st of April 1785.

Q. Have you any Account of the Expence of collecting the Revenue of the East India Company anterior to the Establishment of the Committee of Revenue in the Year 1781,—and any Account of the Expence of collecting that Revenue posterior to that Date?

A. On the Revenue Consultations of the 18th of May 1785, there is such an Account; it begins in 1772-3, and ends in 1783-4. The Title is, “Particulars of the Charges in the Revenue Department.” The grand Total of these Charges in 1772-3, is 41,56,970 Rupees.

Q. What was the Amount of the Expence in the Year 1778, and 1779, and downwards?

The Witnesses read the following Extract :

“ Y E A R S .					Grand Total of Charges in the Revenue Department.
Bengal Year.		Bahar Year.		English Style.	
1185	or	1186	or	1778-9	56,45,946 : 13 : 5 : 2
1186	or	1187	or	1779-80	56,80,637 : 2 : 1 : 0
1187	or	1188	or	1780-1	60,98,510 : 3 : 5 : 3
1188	or	1189	or	1781-2	66,55,869 : 7 : 16 : 0
1189	or	1190	or	1782-3	59,63,660 : 14 : 5 : 0
1190	or	1191	or	1783-4	71,29,093 : 14 : 4 : 1

“ ” 18th May 1785.

(Signed)

“ Charles Croftes,

Accomp^t. Gen^l. to the Rev^d. Dep^t.” (a)

Then the Witnesses read as follows :

This Account goes to the Year 1783-4.—I have prepared from the Statements at the India House an Account of the Year 1784-5, and find the Total Charges in that Year were 73,73,738 Rupees.

The Witnesses spoke from a Paper, which, by Consent, was delivered in, and is as follows :

(a) Vide Appendix, N^o CLIV.

PARTICULARS of the CHARGES defrayed in the REVENUE DEPARTMENT. (a)

	Charges of collecting.		Total.	Charges Zemindary.	Charges of the Civil and Criminal Courts.			Law Charges.	Charges Poolsundry.	Charges Buildings and Repairs.	Hill Charges.	Dawk Charges.	Charges Police.	Allowances to Members of the late Provincial Councils.	Sebundy Charges.	Grand Total of Charges in the Revenue Department.
	Charges Collections.	Charges General.			Charges Dewanny Adawlut.	Charges Foudarry Adawlut.	Total.									
Y E A R.																
Bengal Year.																
1191 or 1192 or 1784-5	23,08,007	3,88,484	26,96,491	22,14,084	9,88,970	4,28,697	14,17,667	13,500	2,94,652	23,010	62,024	30,249	67,751	1,44,099	4,10,211	73,73,738

“ East India House,
23d February 1790.

Errors excepted.

“ W^m. WRIGHT,
Auditor of Indian Accounts.”

Then the Witness was asked,

Q. Have you any Account of Allowances paid to the Members of the Council of Revenue, from the Year 1780-81, when they were first appointed, down to the Year 1784-5?

A. I have.

The Witness spoke from another Paper which, by Consent, was also delivered in, and is as follows:

“ Amount of Commission drawn by the Committee of Revenue on the Bengal Revenues, from February 1781 to February 1785.

March 1781 to April 1782	—	—	Sicca Rupees	3,88,063
May 1782 to April 1783	—	—	—	3,49,028
1783 1784	—	—	—	3,67,206
May 1784 to Feb. 1785	—	—	—	3,07,895

“ The above was, by the Board's Orders of 9th February 1781, to be divided as follows:

6-25ths to the President of the Committee,

5-25ths to each of the Three Members,

4-25ths to be divided between the Secretary to the Committee and the Preparer of Reports.”

Then the Witness was asked,

Q. What was the Share of each Member of that Committee?

The Witness read the following Extract from the same Paper.

“ The President's Share was therefore as follows:

1781-2	—	—	—	S ^r R ^r	93,132
2-3	—	—	—	—	83,766
3-4	—	—	—	—	83,128
4-5	—	—	—	—	73,896
“ Each Member's Share was:					
In 1781-2	—	—	—	—	77,610
2-3	—	—	—	—	69,805
3-4	—	—	—	—	73,440
4-5	—	—	—	—	61,580.

“ East India House,
23d Feb. 1790.

Errors Excepted.

W^m Wright, Aud^r of Ind^a Acc^t.”

“ The foregoing Account is extracted from the Monthly Accounts of the Committee of Revenue from March 1781 to February 1785, inclusive.”

Q. (by a Lord). These Papers contain only the Collections which you have made, and no other Matters?

A. Nothing more.

The Counsel for the Defendant desired, That the Particulars of which the above aggregate Sums were composed, might be entered in the Appendix.

The following Question was put to the Witness:

Q. (by a Lord). You have taken these Sums from a Variety of Books ready to be produced?

A. Yes.

The Managers for the Commons stated, That they had no Objection to the component Parts of the above aggregate Sums being entered in the Appendix. (a)

Q. (Cross examined). The Witness having stated that there was an Increase in the Charges in the Revenue Department of near 4 Lacks in 1779-80 from what it was in 1778-9, Whether in those Charges there were not the Pensions or Allowances to the discharged Members of the Revenue Council?

The Managers for the Commons said, They admitted there were.

Q. Whether the Increase of the Charges defrayed in the Revenue Department, which appears in 1780-81 beyond that of the Year 1779-80, amounting to between Three and Four Lacks, is not occasioned, and to what Extent occasioned, by the Payment of certain Allowances and Pensions to the Members of the Revenue Councils, who had been removed before this Committee was appointed?

A. There is no such Article of Expence in that Year.

(a) Vide Appendix, N^o CLVI.

Q. (*by a Lord*). Do you know the Pensions that were allowed to the Members of the Provincial Council that were discharged?

A. They are stated in the Account, the Title of which I read, in 1781-2; they amount to 1,48,000 Rupees.

Q. The Question is, whether upon the casting of that Account, that Sum is charged for the Pensions of the discharged Provincial Council, does not account for the ulterior Charge upon the Revenue?

A. To the Extent of 1,48,000 Rupees.

The Managers for the Commons, and the Counsel for the Defendant, being asked, Whether they were agreed upon the Fact, that the Increase of the Establishment was owing in Part to the Expence of Pensions allowed to the discharged Members, answered in the Affirmative.

Q. (*by a Lord*). Do you know from the Books you have consulted, whether the India Company did, at any and what Time, take into their own Management the Salt Revenue?

A. They did about the End of the Year 1780, upon a new Plan.

Q. Was there any Charge incurred, and which was placed to the Account of the Charge of Collections arising from that Management?

A. Not in the Account that I have stated.

Q. What Increase of Revenue upon the Whole was there during the Three Years immediately following the Abolition of the Provincial Councils, and the Substitution of the Commission of Revenue received by the Company?—Can you state from the Examinations you have gone through, how the Revenue was increased in those several Years, in which you have stated what the Increase of the Charges was?

A. There is an Account to that Effect entered in the same Book in the same Day's Consultation, which is called "An Abstract," including the Whole of the Land Revenue of the Soubahs, from the Bengal and Bahar Years 1179-80 to 1190-1 inclusive, which in English Style corresponds to the Years 1772-3 and 1783-4.

Q. Specify the respective Increases in each of the Years you before mentioned?

		was			
In 1779-80		—	—	—	173,95,871 Rupees
In 1780-81		—	—	—	180,21,226
In 1781-2		—	—	—	165,84,181
In 1782-3		—	—	—	189,55,004
In 1783-4		—	—	—	188,24,855
					181,93,491

Q. State what is the gross Increase in the Three Years immediately following the Abolition of the Revenue Council 1781-2, 1782-3, and 1783-4, over the Revenue in the Three Years preceding them?

A. The Sums are not stated here.

The Counsel for the Defendant desired that the Witness might draw out such Account, and that the same might be entered as read.

The same is as follows :

					Nett COLLECTIONS.				
					Account of the Revenues of the Current Year paid into the different Treasuries of the Revenue Department.				
Bengal Years.		Behar Years.		English Style.					
1185	or	1186	or	1778-9	—	1,73,95,871	: 4 :	4 :	3
1186	or	1187	or	1779-80	—	1,80,21,226	: 1 :	7 :	1
1187	or	1188	or	1780-1	—	1,65,84,181	: 10 :	11 :	2
						5,26,01,279	: 0 :	0 :	0
1188	or	1189	or	1781-2	—	1,89,55,004	: 5 :	8 :	1
1189	or	1190	or	1782-3	—	1,88,24,855	: 1 :	2 :	3
1190	or	1191	or	1783-4	—	1,81,93,491	: 15 :	10 :	1
						5,59,73,351	: 0 :	0 :	0
						5,26,01,279	: 0 :	0 :	0
Increase						33,72,072	: 0 :	0 :	0

Then

Then the following Question was put to the Witnesses :

Q. Whether that Plan so adopted by Mr. Hastings in 1780, 1781, and 1782, has not continued down to the present Moment without any Alteration whatever, except putting at the Head of that Committee a Member of the Supreme Board, instead of a President of their own Body?

A. I believe it has.

Q. (by the Managers). Whether one of the Members of the Supreme Board is not now put at the Head of the Committee of Revenue?

A. It is, by the Court's Order in the Year 1785.

Q. Whether there are not, through the whole Provinces of Bengal and Bahar, a certain Set of European Officers established in each District, called Collectors?

A. It appears so from what I have seen of the Records.

Q. Whether an Increase upon the General Rent Roll of the Country was not levied by the new Committee of Revenue in the Year 1781 and 1781-2?

A. There was.

Q. Do you know the Amount of that Increase?

A. From that Account, Part of which I have had the Honour to state to your Lordships, it appears that the gross Jumma or Settlement of the Revenues in 1780 and 1781 was 2,55,12,080; in 1781-2, 2,79,05,850.

Q. (by Counsel). Whether that Increase was made upon the Ryot or immediate Cultivator of the Soil, or whether it was made upon the Zemindar?

A. I cannot answer that Question. I don't recollect the Proceedings of the Committee at the Time, sufficiently to state whether it was in one Instance or the other.

Q. (by a Lord). But it appears in the Books you refer to?

A. It will appear, I believe, on the Revenue Proceedings of 1781.

Q. That is in the same Book as you have been speaking from?

A. No. This is the Council Revenue of the Year 1785.

Q. Whether there is not in that Book you have in your Hand, on the Consultation of the 11th July 1785, an Account of the gross Collections and actual Receipt into the Treasury for 10 Years?

A. I have not that here.

The Counsel for the Defendant desired, That the Account itself might be printed.

The Account is entered in a Consultation of the 11th of July 1785, and is as follows :

“ Fort William, the 11th July 1785.

“ At a Council; Present,
John Stables Esquire,
and

The Honourable Charles Stuart Esquire.

Rev. Dept.
Monday

“ Extract from Mr. Stuart's Minute in reply to the Governor General's on his Plan for the Revenue.

Years.	Current Collect ^{ns}	Collected Account Balances.	Gross Collect ^{ns}	Charges Coll ^{ns}	Actual Receipts into the Treasury.
1772-3	2,37,20,763 11 3 -	18,88,226 12 1 -	2,56,17,989 11 13 -	41,56,970 9 18 2	2,14,61,019 1 14 2
1773-4	2,35,77,528 10 6 2	18,05,528 6 15 1	2,53,83,057 1 1 3	43,02,590 1 10 2	2,10,80,460 15 11 1
1774-5	2,37,20,882 8 6 1	17,40,399 7 9 1	2,54,61,282 5 2 -	41,51,272 13 15 -	2,13,10,009 2 10 2
1775-6	2,40,33,296 10 4 2	12,18,176 5 10 3	2,55,51,472 15 15 1	45,07,471 15 1 1	2,10,44,001 - 14 -
1776-7	2,36,21,604 8 8 1	13,04,769 - 18 3	2,50,16,373 9 7 -	49,05,739 5 13 1	2,01,10,134 3 14 3
1777-8	2,24,30,527 15 13 3	20,79,450 12 1 1	2,45,08,978 11 15 -	53,80,818 5 3 -	1,91,28,160 11 9 1
1778-9	2,30,41,818 1 10 1	19,19,747 2 14 3	2,49,61,565 4 5 -	56,45,946 13 5 2	1,93,15,618 6 10 2
1779-80	2,37,01,863 3 8 1	15,66,321 13 5 3	2,47,68,185 - 14 -	56,80,037 2 1 -	1,90,88,147 14 13 -
1780-81	2,26,82,691 13 17 1	14,24,542 - 10 2	2,41,07,233 14 7 3	60,98,510 3 5 3	1,80,08,723 11 2 -
1781-2	2,56,10,873 13 4 1	6,23,989 3 5 1	2,62,34,863 - 9 2	66,55,869 7 16 -	1,95,78,993 8 13 2
1782-3	2,47,88,515 15 7 3	6,50,461 11 13 -	2,54,38,977 11 - 3	59,63,660 14 5 -	1,94,75,316 12 15 3
1783-4	2,53,22,585 13 14 2	4,49,915 14 17 -	2,57,72,201 12 11 2	71,29,093 14 4 1	1,86,43,107 14 7 1

Signed, at the End of the Consultation,

“ John Stables,
Chas Stuart.” (a)

The Managers for the Commons stated, They should next proceed to shew the Acts of Mr. Hastings relative to a Person of the Name of Kelloram, from whom Mr.

Hastings was charged, in the Sixth Article of Charge, to have received a Sum of Money amounting to Four Lacks of Rupees, and, in Consideration of the same, to have let certain Lands in the Province of Bahar : That he had none of the Qualifications pointed out by the Court of Directors, or even by Mr. Hastings himself, for the Situation in which he was placed. And, first, That he was notoriously known to be a Person of infamous Character.

The same was objected to by the Counsel for the Defendant.

The Managers for the Commons being heard in Answer to the said Objection, and the Counsel for the Defendant in Reply,

The House adjourned to the Chamber of Parliament.

The Lords being in their Places, the House resumed, the usual Proclamations made, and the Defendant appearing at the Bar, the Lord Chancellor said ;

“ Gentlemen of the House of Commons, and Gentlemen of Counsel for the Defendant, the Lords have resolved, That the Managers for the Commons be not admitted to give Evidence of the Unfitness of Kellaram for the Appointment of being a Renter of certain Lands in the Province of Bahar ; the Fact of such Unfitness of Kellaram not being charged in the Impeachment.”

The Managers for the Commons stated, they should next proceed to shew the Connexion between the Defendant and Kellaram, his Order for him to come to Calcutta, and the subsequent Transactions with him afterwards.

Read, from Book 231, the following Extract of a Patna Revenue Consultation of the 31st of July 1780, beginning at Page 721 of the same Book.

“ Patna, 31st July 1780.

“ At a Consultation ; Present,
Mr. William Young, acting Chief;
Messrs. { George Bright,
Shearman Bird,
Christopher Keating,
Henry Ramus.
Mr. Maxwell absent.

“ Fort William, 23d July 1780.

“ Sir,

“ I desire that you will permit Rajah Kyaleram to come to Calcutta : I have sent him an Order for that Effect.

I am, Sir,
Your most obedient Servant,
(Signed) Warren Hastings.”

“ Mr. Young.

Read, further, Extract from same Consultation, beginning at Page 733.

“ The Acting Chief proposes to the Board to determine how far we can with Propriety permit Rajah Kyalleram, in his present Situation, to proceed to Calcutta immediately, in Consequence of the Governor General's Letter to him, as quoted in the above Minute, or wait for an Answer to the Reference which has already been made. And the Question being put,

“ Mr. Ramus is of Opinion he ought to be permitted to go, in Consequence of the Governor's Orders.

“ Mr. Keating is of the same Opinion.

“ Mr. Bird is of the same Opinion.

“ Mr. Bright is of Opinion, that Rajah Kyalleram ought not to be permitted to go, in Consequence of the Governor General's Orders.

(Signed) “ G. Bright.”

Read, a further Extract from same Consultation, beginning at Page 735 of the same Book.

“ Mr. Young is of Opinion that Rajah Kyaleram should not depart from Patna till an Answer arrives to his Letter of the 27th to the Honourable Governor General, informing him of the Predicament in which Rajah Kyalleram stands.

“ Resolved, That Rajah Kyaleram be permitted to go.

(1199)

“ Rajah Kyaleram being called in, is informed of the above Resolution, in Consequence of which he requests a Guard of Sepoys to protect him down to Calcutta, which is granted; and he declares before the Board he leaves Mootyram his Vakeel for the Adjustment of his Waffilaut.

(Signed at the End of the Consultation)

“ A true Copy.

W. A. Brooke,
Revenue Chief.”

The Managers for the Commons stated, They would next proceed to shew, that a Lease was granted to Kelloram, and the Proceedings in granting the said Lease.

Read, from Book 232, the following Extract of a Consultation of the 14th November 1780, beginning at Page 299 of the same Book.

“ Fort William, the 14th November 1780.

“ At a Council; Present,
The Honourable Warren Hastings Esquire, Governor General, President;
Philip Francis, }
and } Esquires.
Edward Wheler, }

Rev. Dept.
Tuesday.

“ The Governor General lays before the Board, amended Proposals he has just received from Rajah Kullyan Sing, for farming the Province of Bahar; which he recommends for their Acceptance.

Amended
Proposals of
Rajah Kullyan
Sing laid be-
fore the Board
by the Go-
vernor, and
recommended
for their Ac-
ceptance.

“ Ordered, That they be translated, and entered as follows:

“ Translation of an Arzee from Maha Rajah Kullyan Sing.

“ Having repeatedly explained the Condition of the Soubah Bahar, desiring to see the Prosperity of the Government, after much Enquiry, I have perfected a Form of Settlement for the Year 1188 Fully, and now submit the same to you, thinking it is attainable, if immediate Permission be granted, yet with great Difficulty.

Petition of
Kullyan Sing.

“ Two Months are already elapsed of this Year's Collection; the Hill Banditti have seized the early Harvest, and the Lateness of the Order for Settlement will increase the Loss of Revenue.

“ In the Proposal, some Mehals are desired in the Mocurrery Mode, because in those an extreme Desolation has prevailed; and, to ensure Success in their Cultivation, great Disbursements of Money for Gillundauzee, Tuccary, &c. are necessary; Agriculture cannot be resumed without a Mocurrery Engagement.

“ In Hope from that Tenure, the Men whose Names are inserted will pay the Expences of Cultivation, and also the Revenue of the Government, without Deficiency; and the same Form of Settlement shall be continued in future.

(Signed)

“ Francis Baugh,
Translator.”

“ F O R M o f S E T T L E M E N T .

		Present State.	Proposed Increase.	Summa.
	The Soubah for the Year 1158 Fussy,	29,08,343 : 12 : 9	5,00,000 : 0 : 0	34,08,343 : 12 : 9
a	Pergunnah Belung and others, formerly under my Servants, by Turilck Tahood; now, I hope, Rajah Merja may be established therein by Turuk Mocurrery.	2,60,698 : 3 : 0	35,000 : 0 : 0	2,95,698 : 3 : 0
b	Pergunnah Aikul and others, were under Modun Lol and others; now, I hope, Koonnur Bowlut Sing may be favoured with them on Tureeck Mocurrery.	1,18,000 : 0 : 0	15,000 : 0 : 0	1,33,000 : 0 : 0
	Sunnut and others, formerly let yearly, now disengaged; Rajah Bowanny Sing, my own Brother, hopes they may be granted on Tureeck Mocurrery to him.	2,75,681 : 0 : 0	76,000 : 0 : 0	3,51,681 : 0 : 0
	Sircar Tirhut.—Mr. Young, when One Year of Roy Mohun Lol's Agreement was unexpired, lost about 50,000 Rupees, having granted a Mocurrery Sunnud of it to Rajah Madoo Sing; this was improper; I hope it may be granted on a Tureeck Tahood of Five Years to Rajah Bowanny Sing.	2,46,324 : 6 : 6	80,000 : 0 : 0	3,26,324 : 6 : 6
c	Purgunnah Choinpore, Saferam and others, with Perron and Nonour, were the last Year under Rajah Kially Ram; he hopes still to be favoured with them by Tureeck Mocurrery.	6,32,000 : 0 : 0	50,000 : 0 : 0	6,82,000 : 0 : 0
d	Pergunnah Bifarrah and Cufumboor were with Ram Golaum last Year; now Yar Ally hopes by Tureeck Mocurrery to be established in them.	1,86,002 : 0 : 0	31,000 : 0 : 0	2,17,002 : 0 : 0
	Purgunnah Grindhoun Amortho Gopeenaut hopes he may be favoured with on Tureeck Mocurrery.	5,841 : 12 : 0	2,000 : 0 : 0	7,841 : 12 : 0
e	Havely Arzeemabad and others, Mucney Lol hopes for by a Tureeck Tahood of Five Years.—He is a good Man.	1,45,606 : 0 : 0	65,000 : 0 : 0	2,10,606 : 0 : 0
f	Nirhut Samoy, Mulkee Bulleah and others, Men Julfakar Ally hopes to have granted him on Tureeck Mocurrery.	2,18,017 : 3 : 3	60,000 : 0 : 0	2,78,017 : 3 : 3
	Khaspoor Tupheo Murrvah are fixed under Rajah Sadoo Ram by Mocurrery.	80,234 : 14 : 3	10,000 : 0 : 0	90,234 : 14 : 3
g	Nanegunge and others, formerly by Tureeck Mocurrery were established.	1,79,780 : 3 : 0	—	1,79,780 : 3 : 0
b	Erwul Mufceda and others, with Farmers and Zemindars well satisfied to pay	5,60,158 : 2 : 9	76,000 : 0 : 0	6,36,158 : 2 : 9
	Total	29,08,343 : 12 : 9	5,00,000 : 0 : 0	34,08,343 : 12 : 9

(1200)

(1201)

" E X P L A N A T I O N S .

Accompany-
ing Kullyan
Sing's Peti-
tion.

5,61,000 : 0 : 0
71,000 : 0 : 0
6,32,000 : 0 : 0
* c Cheinpoor, &c.
Cheinpoor —
Perofe and Nenour

a	Pergunnah Belunj, &c.				
	Belunj	—	—	—	70,000 : 0 : 0
	Serefa	—	—	—	65,507 : 0 : 0
	Havely Bahar	—	—	—	54,000 : 0 : 0
	Pergunnah Ghiafpoor	—	—	—	58,190 : 3 : 0
	Molda Zillah Cowfrah	—	—	—	13,001 : 0 : 0
					<u>2,60,698 : 3 : 0</u>
b	Pergunnah Aikul, &c.				
	Aikul	—	—	—	60,000 : 0 : 0
	Relegur Mufnud	—	—	—	58,000 : 0 : 0
					<u>1,18,000 : 0 : 0</u>
d	Pergunnah Bifara, &c.				
	Bifara	—	—	—	1,38,001 : 0 : 0
	Coffumboor	—	—	—	48,001 : 0 : 0
					<u>1,86,202 : 0 : 0</u>
e	Haveely Azeemabad, &c.				
	Azeemabad	—	—	—	52,001 : 0 : 0
	Fulwarree	—	—	—	32,001 : 0 : 0
	Shawpoor Muneer	—	—	—	43,001 : 0 : 0
	Sourb Mehal	—	—	—	7,500 : 0 : 0
	Badelah D°.	—	—	—	1,301 : 0 : 0
	Shawjehanpoor	—	—	—	2,400 : 0 : 0
	Bicuntpoor	—	—	—	1,301 : 0 : 0
	A Part of Munwarah	—	—	—	4,801 : 0 : 0
	Pumbah Nacofs	—	—	—	1,300 : 0 : 0
					<u>1,45,606 : 0 : 0</u>
f	Nirhut Samoy, &c.				
	Nirhut Samoy	—	—	—	1,32,015 : 3 : 3
	Mulkee, &c.	—	—	—	86,002 : 0 : 0
					<u>2,18,017 : 3 : 3</u>
g	Nafregunge, &c.				
	Nafregunge	—	—	—	3,500 : 0 : 0
	Dehaut fur Shecum, under Rajah } Mourledher	—	—	—	1,305 : 0 : 0
	Nuzzerana from the Dutch	—	—	—	10,000 : 0 : 0
	Half of Sanwrah Bulleah	—	—	—	24,924 : 0 : 0
	Pergunnah Bulwarrah	—	—	—	29,405 : 0 : 0
	Tillaurah	—	—	—	75,001 : 0 : 0
	Havely Rates	—	—	—	12,613 : 0 : 3
	Talook Dergboje Sing	—	—	—	21,231 : 2 : 9
	Suddaurut	—	—	—	1,801 : 0 : 0
					<u>1,79,780 : 3 : 0</u>
b	Erwul Mufuda, &c.				
	Erwul Mufuda	—	—	—	80,000 : 0 : 0
	Half Saunweah Bulleah	—	—	—	10,000 : 0 : 0
	Jaghire Ithmael Ally Khan	—	—	—	21,501 : 0 : 0
	Sircar Shawabad, without Perofe } and Nunour	—	—	—	7,000 : 0 : 0
					54,000 : 0 : 0
	Sercolly	—	—	—	3,66,802 : 3 : 3
	Balagunge	—	—	—	50,001 : 0 : 0
	Neipoar	—	—	—	3,000 : 0 : 0
					16,781 : 14 : 9
					3,500 : 0 : 0
					18,072 : 0 : 9
					3,500 : 0 : 0
					<u>5,60,158 : 2 : 9</u>
					<u>76,000 : 0 : 0</u>

* Sic in C

(Signed) " Francis Baugh, Translator.

Signed at the End of the Consultation,

" Warren Hastings,
P. Francis,
Edw^d Wheler."

Read, from Book 225, the following Extract of a Consultation of the 15th December 1780, beginning at Page 121 of the same Book.

“ Fort William, the 15th December 1780.

Rev. Dept.
Tud y.

“ At a Council; Present,
The Honourable Warren Hastings Esquire, Governor General, President;
and
Edward Wheler Esquire.

“ Extract of a Letter from William Maxwell, &c. Council, dated Patna, the 27th November 1780, to the Governor General and Council.

Par. 2d. “ In our Letter of the 26th ultimo, which accompanied the annual Accounts of that Part of the Province of Bahar under our Management, for the Year 1187 Fussely, we acquainted you that the advanced Season of the Year made it absolutely necessary for us to form the Settlement for 1188, to prevent any Loss accruing to Government; we have now completed it with a Success which has far surpassed our Expectations, and on Terms much superior to any Settlement made for many Years past. The Paper marked N° 1, exhibits the Settlement for 1188; and that marked N° 2, which contains a comparative Account of it with that of 1187, will explain to you the Alterations and Changes which have taken place in the several Districts.

Par. 3d. “ We have continued all such Farmers in Office, as by their Conduct had merited our Approbation, and were willing to renew their Engagements, except the Renter of Shawpore Munner, whom, from his Oppressions, and the numerous Complaints preferred against him by the Ryots, we found it absolutely necessary to remove.

Signed at the End of Consultation,

“ Edw^d Wheler.”

Read, further Extract from the same Letter and the same Consultation, beginning at Page 125 of the same Book.

Par. 6th. “ The Settlement we have made of the Districts under our Charge, is for the present Year only. All the Engagements have been accepted on the express Condition of their being approved of by you; and that the Renters might not be tempted to encrease their present Profits at the Expence of the future Revenue, they have engaged to pay the same Rent for next Year, should Government think proper to grant them a Renewal of their Leases.

Par. 7th. “ It is our Opinion that the present Settlement is formed on Terms of such Security, as to leave little Room to apprehend that there will be any Balance at the Close of the Year: and we beg Leave to assure you that the most unremitted Care and Attention shall be paid on our Parts to complete it.”

Read, the following Extract of a Consultation of the 19th December 1780, beginning at Page 171 of the same Book.

“ Fort William, the 19th December 1780.

Rev. D. pt.
Tuesday.

“ At a Council; Present,
The Honourable Warren Hastings Esquire, Governor General, President;
and
Edward Wheler, Esquire.

“ Read and approved the Proceedings of the 15th instant.

“ The Secretary lays before the Board the comparative Account of the Settlement made by the Provincial Council of Patna, of the Province of Bahar for the Bahar Year 1188, and the Proposals delivered by Rajah Kullyan Sing, which was ordered to be prepared last Council Day.

" Comparative View of the Settlements respectively proposed by the Chief and Council at Patna, and by Rajah Kullyan Sing, for the Province of Bahar (exclusive of Sircar Sarun, &c.) for the Fufuly Year 1188.

Kullyan Sing's Allotments.		Settlement proposed by the Chief and Council of Patna.	Settlement proposed by Rajah Kullyan Sing.
1st.	Belunjeer Pelich Maldar; Seriffa; Havely Behar; } Ghyaspoor and Coofra — — — — — }	2,85,699 3 0	2,95,698 3 0
2d.	Aikul and Relegur Musnud, or Rutry Gudhaffon	1,19,001 0 0	1,33,000 0 0
3d.	Sunnout, &c. — — — — —	3,45,681 0 0	3,51,681 0 0
4th.	Sircar Tirhut — — — — —	2,50,590 6 9	3,26,324 6 6
5th.	Cheinpoor Safferam; Serris Kotomba; Charcoan } Perou and Nenoor — — — — — }	6,80,116 6 2	6,82,000 0 0
6th.	Befara and Cafumboor, or Cufmar — — —	2,00,002 0 0	2,17,002 0 0
7th.	Gundhore or Giddore — — — — —	5,841 12 0	7,841 12 0
8th.	Azeemabad, Fulwarra, Shahpore, Munneer; Surb } Mehal; Badela; Shahjehanpore; Bycuntpore; } Munwarah and Pumbah, or Pate Necaufe — }	2,04,104 0 0	2,10,606 0 0
9th.	Nurhut Samoy, and Mulkee, and Bulleah and Buf- } farey — — — — — }	2,50,617 3 3	2,76,117 3 3
10th.	Khaspoor, or Hajypoor, and Tuppeh Murwash	90,234 14 3	90,234 14 3
11th.	Nafergunge; Raja Moorleedur's, Serfhikun Vil- } lages; Dutch Nuzerrana, 1st Quota of Sawmah, } or Sandeh-Belleah; Pergunnah, Butwarrah, Til- } wara; Havely Rotas; Talooka of Dergbeja } Sing, and Suddarut — — — — — }	1,79,979 9 9	1,77,980 3 0
12th.	Arwul Mussodah, or Massorah: 2d Quota of Saun- } rah, or Sandeh, Belleah, Sircar, Shahabad (with- } out Perow and Nunour) Sercolly, or Shairgotty, } Neypoor, and Balgunge, or Ballgutch }	6,05,417 11 7	6,35,733 2 9
Total —		32,17,285 2 9	34,04,218 12 9

E X P L A N A T I O N S.

" The 1st Column exhibiting the Patna Council's Jumma, agrees in its Total with their Statement all to 3 Pice, which it has been allowed to exceed in, to make it coincide with Kullyan Sing's Statement of Perou and Nenoor (Article 5th), which he deducts from Shahabad (Article 12th), and states at Rupees 71,000, whereas it ought to have been these 3 Pice less.

" In the 8th Allotment Kullyan Sing states the last Year's Jumma of Bycuntpoor to be only 1,301 Rupees, whereas the Patna Council make it 7,000 Rupees more; which Difference is however brought again to account by Kullyan Sing in the last Article (12th), under the separate Head of the Jaguir of Ishmael Ally Khan.

" The Deficiency between the Sum Total of the 2d Column, exhibiting Kullyan Sing's Proposals, and the said Aggregate as stated in his own Account, is Rupees 4,125; which is owing to the following Deductions the Board have lately made in the Jumma, and which he has not noticed; viz.

Suddarut Mehal (11th)	—	—	1,800
In Behader Sing's Jumma, (Article 9th)	—	—	1,900
Jaguir of Roy Jadoram given up (Article 12th)	—	—	425
Total as above	—	—	R' 4,125

which do not therefore appear in this Statement.

" But on the other Hand he has mistated, in his own Favor, the Mokurery Jumma of Tirhut, making it 4,266 : 0 : 3 less than the Patna Council, which being on account of the resumed Jaguir of Meerfyf Ulla, should therefore be added to the Sum Total above mentioned, and

will make the general Total of his Proposals, Sicca Rupees 34,08,484 : 13 ; which is just 1,91,199 : 10 : 3 more than the Settlement made by the Chief and Council of Patna.

" The Names of Places have been spelt as they respectively stand in the 2 separate English Accounts, of which this is the Abstract ; viz. The translated Proposals of Kullyan Sing, and the Settlement Account received from the Chief and Council at Patna.

Proposals of
Rajah Kullyan
Sing accepted.

" Agreed, That the Proposals of Rajah Kullyan Sing, with the Corrections made in the comparative Statement, be accepted, and that a Mocurrery Sunnud be granted for the same, with a Clause, that it shall continue such, so long as the Payments of the stated Kists are regularly made, and no Oppressions exercised on the Inhabitants ; that he shall prefer no Claims for Deductions on the Plea of Drought or Inundation, or any other natural Cause, nor urge any Plea for the same, nor claim, as a Right, any Deductions for Paymalee, or the Ravages of Enemies ; that whatever the Board may, at any Time, think it proper to grant on this last Account, should a Case happen (which God forbid), to require it, shall be given and received merely on the Footing of an Indulgence. Rajah Kyallyram, the Naib of Rajah Kullyan Sing, being called before the Board, and these Conditions proposed to him, declares his Assent to them.

Rajah Kyally-
ram called be-
fore the Board,
his Assent to
the Conditions
proposed to
him.

Sunnud and
Cabooleat or-
dered.

" Ordered, That they be formed into Clauses for the Settlement, and that a Sunnud and Cabooleat be immediately prepared at the Khalsa for Rajah Kullyan Sing, and separate Sunnuds for the Farmers, agreeably to the Terms of the Settlement.

Khelat to be
prepared.
Patna wrote to,

" Ordered, That a Khelat be prepared for Rajah Kullyan Sing, and Kyalleram. Agreed, That the Provincial Council of Patna be written to as follows. (a)

Signed at the End,

" Edw^d Wheler."

Then the House adjourned to the Chamber of Parliament.

(a) Vide Appendix, N^o CLVIII.

Die Jovis, 22° Aprilis 1790.

THE Lords being in their Places, the House resumed, the usual Proclamations made, and the Defendant appearing at the Bar, the Lord Chancellor acquainted the Managers for the Commons, they might proceed to make good their Charge.

The Managers for the Commons desired a Mistake in the printed Minutes, Page 1157, might be rectified, it being there stated, " That the Managers for the Commons stated they would next proceed to shew how many of the Bills produced in Evidence were realized in the Months of October and November 1781, and how many were realized before the End of January 1782 ;" whereas it should have been stated, That the Evidence the Managers were then about to produce, was to shew how much of the 100,000 l. mentioned in the Letter from Mr. Hastings, dated Patna, 20th January 1782, was received prior to the Time of that Letter being written.

The same was ordered accordingly.

The Managers for the Commons stated, they would next proceed to shew all the Circumstances attending the Appointment of Kellaram to be Renter of the Lands in the Province of Bahar, and the Consequences that followed from it.

Read, from Book 227, the following Extract of a Consultation of March 30th 1781, beginning at Page 332 of the same Book.

" Fort William, 30th March 1781.

" At a Council; Present,
The Honourable Warren Hastings Esquire, Governor General, President;
and
Edward Wheler Esquire.

Rev. Dept.
Friday.

" Agreed, That Rajah Kyallyram be appointed Naib, and that a Sunnud be prepared confirming him in the same accordingly.

Signed at the End of the Consultation,

" Edw^d Wheler." (a)

Read, the following Extract of a Consultation of the 25th of May 1781, beginning at Page 744 of the same Book.

" Fort William, the 25th May 1781.

" At a Council; Present,
The Honourable Warren Hastings Esquire, Governor General, President;
and
Edward Wheler Esquire.

Rev. Dept.
Friday.

" The Preparer of Reports to the Revenue Department delivers in, for the Signature of the Honourable the Governor General, the several Mohcurrey, and other Sunnuds ordered by the Board on the 19th of last December for the different Mehalwary Ajazadars, or Farmers of Districts in the Behar Province, as applied for in the Derkhasts or Proposals made for the general Settlement by Rajah Khyalaram, on the Part of Rajah Kullyan Sing, the Head or Sudder Farmer.

" There are in all Eleven Sunnuds, Nine of which are Mohcurrey, and Two for a fixed Term of Five Years; of both of these, the Preparer of Reports delivers in the Translation of One, as a general Specimen of each Kind, for the Board's Consideration; the List of the Farmers, the Mehals they rent, and the Amount of their Jumma, is as follows. (b)

Signed at the End of the Consultation,

" Edw^d Wheler."

(a) Vide Appendix, N° CLIX.

(b) Vide Appendix, N° CLX.

Read, further Extract from the same Consultation, beginning at Page 756 of the same Book.

“ The Sunnuds mentioned in the above Report being approved by the Board, the Originals are now signed by the Governor General, including the Three separate ones requested by Zulficar Ali, which the Board are willing to allow him instead of One general Sunnud, as applied for in the Derkhast or Proposals for the Settlement.

“ Ordered, That they be delivered to the Parties. (a)

• Signed at the End of the Consultation,

“ Edw^d Wheler.”

The Managers for the Commons stated, they would next proceed to shew that Kellaram fell into great Balances with the East India Company, in consequence of the above Appointment.

The same was objected to by the Counsel for the Defendant.

The Managers for the Commons being heard in Answer to the Objection, and the Counsel in Reply,

The House adjourned to the Chamber of Parliament.

(a) Vide Appendix, N^o CLX.

Die Martis, 27° Aprilis 1790.

THE Lords being in their Places, the House resumed, the usual Proclamations made, and the Defendant appearing at the Bar, the Lord Chancellor said;

“ Gentlemen, Managers for the House of Commons, and Gentlemen, of Counsel for the Defendant, the Lords have resolved, ‘ That it is not competent to the Managers for the Commons to give Evidence upon the Charge in the Sixth Article, to prove that the Rent at which the Defendant, Warren Hastings, let the Lands mentioned in the said Sixth Article of Charge, to Kellaram, fell into Arrear and was deficient.’—Gentlemen, Managers for the House of Commons, you may proceed to make good your Charge.”

The Managers for the Commons stated, they would next proceed to shew that no Security of any Sort or Kind was taken from Kellaram; for which Purpose, they desired Mr. Hudson might be called.

Mr. HUDSON was accordingly called in, and examined as follows:

Q. You are conversant with the Books of the East India Company?

A. Yes.

Q. Have you found, from your Search through those Books, that any Security was taken by Mr. Hastings in the Year 1781 from those Persons to whom he let the Province of Bahar—any collateral Security?

A. I believe not.

Q. What was the Security taken?

A. A common Cabooleat.

Q. Is it the usual Practice, so far as you find from examining the Books of the East India Company, to take Security from the Farmers?

A. I cannot say whether in all Cases.

Q. Is it the general Practice?

A. It is the Practice sometimes, but I cannot say whether it is general or not.

Q. Have you found, upon the Books of the East India Company, any Copy or Original of a Deed of Security or Obligation taken by Mr. Hastings from Kellaram or Cullian Sing?

A. No; I have not.

Q. Is there any Thing that appears upon those Books, that either does or does not shew that Mr. Hastings delivered up, or handed over, to the Company any Thing for any Security from Kellaram or Cullian Sing?

A. Not that I have found.

(*Cross examined.*) Q. Whether Cullian Sing had not a very large Jaghire in the Province of Bahar?

A. He had an Allowance, but how paid I do not know, whether by Jaghire or other Means.

Q. Do you know the annual Amount of it?

A. I think 50,000 Rupees—to the best of my Recollection.

Q. Do you know of some Allowance he had as the Son of Shitabroy, or to the Amount of a Lack and a Half of Rupees?

A. He had an Allowance as Naib of Bahar.

Q. To

Q. To what annual Amount?

A. I cannot recollect; it appears in the Consultations.

Q. I wish you to recollect if he had not a Lack or a Lack and a Half a Year?

A. I do not recollect whether he had or not.

Q. Have you examined the Consultations, so as to enable you to speak accurately upon the Subject?

A. The Allowance will appear upon the Consultations; I do not know whether it was a Lack, or a Lack and an Half, or what other Sum.

Q. Do you know whether, in the former Years, Securities had been taken from Persons at Patna?

A. I do not know whether they were in farm before; I do not recollect; I have not examined.

Q. Whether Kellaram, in the Year 1780 and 1781, was or was not in Debt to the East India Company?

A. It appears from the Proceedings of the East India Company he was.

1111

The Counsel for the Defendant desired that the Fact might be proved from the Proceedings themselves.

Then the Witness was directed to withdraw.

The Managers for the Commons informed the House, they would next proceed to prove, that there was a regular established known Fine which was taken in all Cases, and what that Fine was; in order to shew that no Part of this Money could come under the Denomination or Description of that Fine or Peshcush.

Read, from Book 10, already delivered in, the following Extract of a Letter from the Governor General and Council at Fort William, to the Honourable Court of Directors, dated 25th February 1775.

14. " We have deemed it necessary, in order to prevent the Causes of Litigation amongst the Land Holders, to remove the Objections which may have prevented the Zemindars and others from establishing their Rights in exempting them from the heavy Imposition of Peshcush (or Tribute), which we understand was formerly a whole Year's Revenue, and have reduced it to a small certain Fine, as an Acknowledgement to Government, for the Sake of retaining an ancient, and in some Respects a necessary Formality; and we hope this Step will meet with your Approbation.

Signed at the End,

" Warren Hastings,
Geo. Monson,
Rich^d Barwell,
P. Francis."

Read, from Book 234, already delivered in, the following Extract of a Consultation of the 8th of February 1775, beginning at Page 539 of the same Book.

" Fort William, the 8th February 1775.

" At a Council; Present,
The Honourable Warren Hastings, Governor General, President;
Lieutenant General Clavering,
The Honourable George Monson,
Richard Barwell, } Esquires.
Philip Francis,

Letter and
Advertisement
circulated
relative
to Sunnuds.

L. S. No. 42.

" Resolved, That the following Letter and Advertisement be circulated to all the Provincial Councils, the Chief of Chittagong, and to the Superintendent of the Collections at Mongheer, &c.

" To Mr. C. W. Boughton Rous,
Chief, &c. Provincial Council of Revenue at Dacca.

" Gentlemen,

" Considering most of the disputed Claims of Inheritance to have arisen from the Proprietors neglecting to make out Sunnuds for their Zemindarries, we have thought it necessary to remove the Objections which may have prevented the Zemindars and others from establishing their Rights by such authentic Grants, in exempting them from the heavy Imposition of Peshcush on the Renewal

of every Sunnud, and reducing it to a fixed Payment, which may be made only as an Acknowledgment to Government, for the Sake of retaining an ancient, and, in some Respects, a necessary Formality.

" We have accordingly resolved, That the Peshcush be hereafter paid in Gold Mohurs, either into the Provincial Cutcherries or to the Khalsa, before whichsoever the Claimant shall be required to make an Appearance either in Person or by his Vakeel; that the Peshcush for a Zemindary, the annual Rent or Malguzarry of which is a Lack of Rupees or near it, shall be fixed at Fifty Gold Mohrs, and for other Portions of Inheritance in that Proportion.

" We, enclosed, transmit you an Advertisement, which we desire you will cause to be published throughout your Division, and affixed at the Gates of your Cutcherry; and we enjoin you to take especial Care that no more is exacted than the established Fees on any Account whatever, and to punish any who shall be detected in the Attempt to exact more.

" We are, &c.

" Fort William, the 8th February 1775.

" A D V E R T I S E M E N T.

" This is to give Notice to all Zemindars, Talookdars, and other Land-holders in the Provinces of Bengal, Bahar, and Orissa, and to all Persons succeeding to Zemindaries, Talookdaries, or Portions of either, or to any other Land Property, or obtaining the same by Decrees of the Courts of Adawlut, or by Purchase, that they are required to take Sunnuds, or other official Title Deeds from the Cutcherry of the District, to which they are subordinate, in all Cases not exceeding 1,000 Rupees, (in this is included alienated or Charity Land, of which the Jumma, or Produce, is not more than 100 Rupees), and from the Khalsa, in all Cases exceeding that Jumma, for which they are to apply to the Secretary to the Governor General and Council in their Revenue Department, when Sunnuds will be granted to the Proprietors after they shall have been exposed for Three Months at the Publick Cutcherry, with an Advertisement subjoined, That if any one has any Objection to the said Sunnuds, he must make it within that Term; when that Term is expired, the Sunnud will be granted at their paying the established Fees on the Receipt of such Grants without any other Charge whatever, and the Sunnud will then remain unchangeable, except in the Cases of Nonage, Idionism, Lunacy, or Absence from the Provinces, in which Case very good and sufficient Reasons can be assigned for the Claims not having been asserted in due Time. These Cases will be heard and adjudged by the Governor General and Council in their Character of Dewan.

" In the Succession to Zemindaries or Talookdaries, a Peshcush will be demanded by Government, at the Rate of 50 Gold Mohrs for each Lack of Rupees Jumma, and for other Portions of Inheritance in the like Proportion, being at the Rate of One Gold Mohr per Jumma of 2000 Rupees.

" Those Persons who are desirous to establish their Rights to the Lands they hold, by renewing their Sunnuds, shall not be subjected to the Charge of Peshcush, or any other Charge whatever, except the established Fee to the Secretary.

Signed at the End of the Consultation,

" Warren Hastings,
J. Clavering,
Geo. Monlon,
Richard Barwell,
P. Francis."

The Managers for the Commons desired Mr. Young might be called in.

Mr. YOUNG was accordingly called in; and being sworn, was examined as follows:

Q. Are you acquainted with the Province of Bahar?

A. I am.

Q. In what Situation was you in the Province of Bahar?

A. I was a Member of the Provincial Council of Revenue.

Q. Are you acquainted with the Mode of letting Farms in that District?

A. I am.

Q. Whether it is customary, upon letting Farms in the Province of Bahar, to reserve or take a Fine, or a Peshcush, to the Company, as a Consideration for letting the Farms?

A. No Instance of the Kind ever happened while I was a Member there, or in any of the Leases that we made.

Q. How long was you a Member of that Provincial Council?

A. About Six Years.

Q. If it had been the Custom, do you think you could have been ignorant of it in so long a Service?

A. I can only speak with regard to the Custom in Bahar while I was there; I never knew an Instance of it in Bahar.

Q. Supposing it had been the Practice, during the Six Years that you were a Member of the Provincial Council, must it not have lain within your Knowledge?

A. No Instance came to my Knowledge.

Q. But must it not have come to your Knowledge if, in Fact, such Instances had happened while you were a Member of the Provincial Council?

A. I think it must.

Q. Whether you were acquainted with the Circumstance of the letting of the Province of Bahar to the Rajah Kelleram?

A. I recollect such a Transaction took place in Part; the Lease was let to Cullian Sing and Kelleram; and the Lease, in Fact, stood in the Name of Cullian Sing, but Kelleram was considered as a Partner.

Q. Whether, if a Fine of 40,000 l. to be paid by Advance, or within the Course of a Year, was reserved upon the Farm of the Province of Bahar, the Farmer would be qualified to fulfil an Engagement, fairly made according to the true Value of the Country.

A. I think he would not, according to the real Value of the Country; but he might have Property of his own, from which he might make good such a Fine.

Q. Whether he could afford to pay such a Fine, supposing his Bargain made at the full and just Value of the Farm?

A. I beg to observe, this seems to be Matter of Opinion; and as it is a Circumstance in which I do not presume to have one, I beg Leave to decline giving any.

Q. Whether, from the Knowledge you have of the Revenue, and of the local Circumstances of that Country, and the Situation and Circumstances of the Farmers, you are competent to give an Opinion in that Case?

A. I think I can.

Q. Then, upon those Grounds, I desire that you will give your Opinion.

The Witness desired the Question might be repeated.

Q. The Question that is put to you is this, Whether a Renter, who takes the Province of Bahar at the full Value of the Farm, can afford, or, to speak in the common Phrase, Whether it is worth his while, to give £ 40,000 as a Fine for purchasing such a Farm?—Whether there be any Thing in the Circumstances of that Province, to enable him to give £ 40,000 for the Purchase, in the Circumstances in which Kelleram then stood?

A. I think, considering the Circumstances in which Kelleram stood, he could not afford it.

Q. In what Circumstances did he stand?

The Counsel for the Defendant objected to the Question.

The Managers for the Commons being heard in Answer to the Objection, the last Answer of the Witness, and the Question, were ordered to be read; and the same were read accordingly.

“ A. I think, considering the Circumstances in which Kelleram stood, he could not afford it.

“ Q. In what Circumstances did he stand?

The Managers for the Commons waived their Question.

Q. Whether or no you have had any Transaction relative to the letting of that Farm while you was a Member of the Provincial Council at Bahar?

A. Yes. We made various Settlements of the Province of Bahar during the Time I was in the Provincial Council.

Q. Was your Answer, that you did make various Settlements of that Province while you were a Member of the Provincial Council?

A. We made various Settlements of that Province, either in the Whole or in Part, during the Time that I was a Member of the Provincial Council; and it will appear by the Records of the Company.

Q. Was there any Treaty subsisting between the Council of Patna and any Person or Persons, for the letting the whole Province of Bahar at the Time you was removed from the Council?

The

The Counsel for the Defendant desired, the Witness might be previously asked ;

Q. (*by Counsel.*) Have you any other Knowledge of the Subject, but what you collect from the Records, either of the Company or of that Provincial Council ?

A. I certainly had a personal Knowledge of the Subject, because I was a Member of the Council.

Q. Whether that Treaty, which is inquired after as subsisting between the Council of Patna and any Person, was reduced into Writing, and made Part of the Records of the Council of Patna ?

A. I understand the Question, but I could wish to know as to the Time, because I stated there were various Settlements of the Province of Bahar.

Q. Then this is the Question: Was there during your Time any Treaty subsisting between the Provincial Council and any Person for taking the Part now in Question ?

A. At the Time that the Settlement was made with Kelleram, we had, the Provincial Council had, actually made a Settlement of the Province of Bahar previous to that Engagement with Cullian Sing and Kelleram.

Q. Was that done by Minute in Council, or in any other Manner ?

A. When that Settlement was entered into, I think I was absent at the Time from the Council, but I am pretty confident, and I believe I am certain, that the Settlement stands upon the Records of the Council at Patna.

Q. Was you present in the Provincial Council when the Settlement was made ?

A. To the best of my Recollection I was absent.

Q. Whether the Province of Patna was let to one Man as a Sudder Farmer, or to different Zemindars of the Country ?

A. It was let principally to Zemindars, and some Part of the Country was let to Farmers.

Q. Was the Province of Patna ever within your Knowledge, while you were in the Provincial Council, let to one Man ?

A. Never, while I was a Member of the Provincial Council.

Q. Were there any Payments or Sums of Money in Bahar paid to the Company, or for their Use, which made a Part of the Settlement, but which do not appear upon the Face of the Settlement you last made ?

A. Exclusive of the Sums specified in the Settlement, there was a Cess collected, which they called Refum Cafana, at One and a Quarter per Cent. on the Amount of the Lease of the Persons to whom we let the Lands.

Q. (*by a Lord.*) That is, One and a Quarter per Cent. of the Rent reserved upon the Grant ?

A. Yes; upon the Grant.

Q. (*By the Managers.*) Was that a regular annual Payment ?

A. It was.

Q. Was there, or was there not, any other Profit arising to the Company from your Settlement besides that ?

A. Exclusive of this, there was a Gain or Advantage to the Company of Batta.

Q. (*By a Lord.*) What is the Meaning of Batta ?

A. It is the Exchange between Siccas and Sonat Rupees. It is proper I should explain it: In some Parts of the Province of Bahar the Rent is paid in Siccas, in others in Sonats, and the Advantage of the Batta is the Exchange between one and the other, which, one Year with another, used to amount to 40,000 Rupees. Exclusive of these Two Articles, there is also an Article they call Tuckavy, which is Money advanced for the Purpose of Agriculture, paid in the Course of the following Year with a Profit of 25 per Cent.

Q. (*By a Lord.*) To whom paid ?

A. To Government, by the Persons who hold the Lease of the Country for the following Year.

Q. (*By the Managers.*) Were those regular established Payments ?

A. The Refum Cafana was an invariable Article; the Batta was not required of the Farmer, but was settled and appeared in the Treasury Accounts at Patna. The Tuckavy depended upon Circumstances, some Years more was advanced, some less; in general, about 20,000 Rupees.

Q. (*By a Lord.*) Who regulated the Measure of that ?

A. It was regulated by the Patna Council, from their local Knowledge of the Situation and Circumstances of the particular Districts.

Q. (*By the Managers.*) Whether all these Sums you have mentioned did not appear as regular Payments, and were regularly carried to the Accounts ?

A. Yes; they were.

Q. (*By*

Q. (By a Lord.) That is, the Accounts transmitted from the Provincial Council to the Council at Bengal?

A. Yes.

Q. (By the Managers.) Whether, from what you know of the Country of Bahar, it is more advantageous to the Inhabitants of that Country, that the Province should be wholly let to one Man, or to the Zemindars and different Farmers?

A. I conceive this is Matter of Opinion; and if I am not absolutely required to give it, I wish to decline it; and after all, I do not think I could speak positively.

Q. At what Time were the Provincial Councils withdrawn from Patna?

A. Some Time in the Month of February 1781.

Q. After the Provincial Councils were withdrawn, was there any Check upon the Farmers?

A. Mr. Maxwell, our Chief, was left there in Charge of the Chiefship, and when we were dismissed, we were ordered to deliver over our entire Trust and Office to him.

Q. Whether there was any Check left in the Country, upon the Farmers Kellaram and Cullian Sing?

A. Mr. Maxwell was left avowedly with the Powers that the Provincial Council previously before possessed, at least I never heard any Thing to the contrary; but in Addition to this Answer I beg to add, that the Letter which dismissed us states Mr. Maxwell as left in the temporary Possession of the Chiefship.

Q. Had, in point of Fact, Mr. Maxwell Authority to stop the Farmers from any Oppression whatever in the Country?

The Counsel for the Defendant objected to the Question.

Q. (by a Lord.) Had the Provincial Council any such Power?

A. We had.

Q. Whether, under those Circumstances, Mr. Maxwell had that Power? What Knowledge have you of the Extent of Mr. Maxwell's Power, except what you alluded to just now, that you understood he succeeded to the Power of the Provincial Council?

A. I can know nothing of Mr. Maxwell's Power subsequent to our Dismission.

Q. In point of Fact, did Mr. Maxwell prevent Oppression? Do you know any Thing of the Fact, whether Mr. Maxwell did interpose to prevent any Oppression by the Farmers upon those who held under them; do you remember any such Fact?

A. I do not remember particularly that Mr. Maxwell exercised any such Power.

Q. Do you know of any other Powers he had than those which were conveyed to him in that Letter of Recall of the Provincial Council?

A. I know of no other Powers.

Q. Whether, de facto, to the best of your Knowledge and Judgment, Mr. Maxwell had any such Power?

The Counsel for the Defendant objected to the Question.

Q. Supposing he had been authorised to prevent Oppression, had he the Means of exercising the Authority?

A. He had—I will answer it in another Manner: If Mr. Maxwell possessed the Power and Authority the Provincial Council possessed, he had it in his Power, in a great Measure, to prevent Oppression.

Q. Whether you ever had any Conversation with Mr. Hastings with respect to the Lease that was granted to Kellaram by Mr. Hastings?

A. I think I had some slight Conversation.

Q. Repeat the Whole of that Conversation as nearly as you can.

A. Upon a Visit that I made to Mr. Hastings on other Business, he gave me to understand he had let the Lands, or was about to let them; such a Measure was in Agitation to let the Lands to Cullian Sing or Kellaram.—I said, upon that Occasion, I was convinced they never would fulfil their Engagements.

The Counsel for the Defendant objected.

Q. You are asked to repeat the Conversation you had with Mr. Hastings as accurately as you can recollect that Conversation?

A. I beg to observe, I was not asked about the Unfitness; it was an Observation of my own when Mr. Hastings mentioned that Subject.

Q. Go on with the Conversation ?

A. I said to Mr. Hastings, I was convinced, from my Knowledge of the Character and Circumstances of these Men, they never would fulfil their Engagements.—Mr. Hastings said, that he hoped better of them, or that he had a better Opinion of them; and my Reply was, as near as I can recollect, in these Words; That I had known them for Six Years, and would not give up my Opinion, or Words to that Effect, to any Man.

Q. Was that the Whole of the Conversation ?

A. That was the Whole of the Conversation that passed upon the Subject, and it took place upon the Subject of another Business quite foreign to it; and I beg Leave to add, that I entered that Opinion upon the Records of the Patna Council when the Lease to those Men came up; and it will now be found there.

Q. How long was it before the granting of the Lease that this Conversation was held ?

A. I cannot charge my Memory as to the precise Time; it was certainly before the granting of the Lease, for I was then at Calcutta, which I left in December, and the Lease came up to Patna in the Month of February.

Q. Did Mr. Hastings give you any Information respecting the Security of £40,000 taken from those Men ?

A. Mr. Hastings never did.

Q. You have said, you were a Member of the Provincial Council ?

A. Yes.

Q. Were there any Complaints made against the Conduct of the Provincial Council, to your Knowledge ?

A. Complaints have frequently been made against the Provincial Council.

Q. Did Mr. Hastings ever represent to you, that the Provincial Council were unfit for their Duty ?

A. I said, when the Question was first asked, that Complaints had occasionally been made of the Provincial Council, and it certainly happened frequently in official Situations.

Q. (*by a Lord.*) Whether, in Conversation with you, Mr. Hastings made any such Complaints, or whether those Complaints were official in the Course of his Duty ?

A. Mr. Hastings never made any Complaints to me of the Provincial Council, nor did the Board.

Q. Were the Provincial Council in all Respects equal to the Duty imposed upon them ?

The Counsel for the Defendant objected.

Q. (*by a Lord.*) Is it your Opinion they were equal to their Duty ?

A. I beg Leave, with all Deference to the Court, to waive that, as Matter of Opinion.

Q. Had the Provincial Council a complete local Controul to prevent Oppression in the Country ?

A. We doubtless had full Powers for the Purpose from the Governor General and Council.

Q. Whether, in point of Fact, they had the Opportunity of preventing Oppression of the Country — Could you prevent Oppression ?

A. We could, as far as our Situation would admit; and always did, as far as we could.

Q. From your Knowledge of the Country of Behar, did you ever know the Office of Farmer and Dewan united in the same Person ?

A. I have.

Q. In what Instance ?

A. In the Instance of Rajah Cullian Sing; who held, during the Time of the Provincial Council, several small Farms in the Name of other Persons.

Q. I wish to know, whether the Dewan was not, from the Nature of his Duty, a Person to check the Oppression of the Farmer, if he committed any ?

A. The Person we had as Dewan, in Fact exercised no Authority.

Q. Whether the Duty of the Dewan was not to check the Oppression of the Farmer — Was it his Duty ?

A. I can only speak to my personal Knowledge: Cullian Sing, when he became Dewan, at least when I became a Member of the Patna Council, was considered by the Council as very incompetent to his Office; and we did not, in fact, allow him to exercise any Power.

Q. (*by a Lord.*) Whether the Office of Dewan does in its Nature comprize, as a Part of his Duty, that of stepping in and preventing the Farmer's Oppression of those under him ?

A. I can only speak as to Belief. I believe the Office of Dewan ought to check Oppression.

Q. Whether there were not Two Offices of Dewan ?

A. I know but of One.

Q. Is there not a Dewan in each District where there is a Farmer ?

A. We had One Person as Dewan in the Province of Bahar, who was Cullian Sing.

Q. Throughout the Province of Bahar there was but One Person invested with that Office of Dewan ?

A. Yes.

Q. Whether, when the Provincial Council were withdrawn, and the Office of Dewan and Farmer were united in the same Person, there was or was not a greater Opportunity of oppressing the Farmers, without the Knowledge of the Supreme Council, than there was before such an Arrangement took place ?

A. I apprehend, in answer to that Question, that the Office of Dewan was in fact or tacitly abolished, by giving the Country in farm to him.

Q. Whether the withdrawing the Provincial Council, and abolishing the Office of Dewan, did not put it in the Power of the Farmer to commit Oppression with greater Ease than before ?

A. Doubtless.

Q. What Impression the letting of the Lands to Kellaram and Cullian Sing made upon the Minds of the Inhabitants of that Country ?

The Counsel for the Defendant objected to the Question.

The Managers being heard in Answer to the Objection, and the Counsel in Reply ;

The House adjourned to the Chamber of Parliament.

Die Fovis, 29° Aprilis. 1790.

THE Lords being in their Places, the House resumed, the usual Proclamations made, and the Defendant appearing at the Bar, the Lord Chancellor said;

“ Gentlemen, Managers for the Commons, and Gentlemen, of Counsel for the Defendant, the Lords have resolved, That it is not competent for the Managers of the Commons to put the following Question to the Witness on the Sixth Article of the Charge;—“ What Impression the letting of the Lands to Kelleram “ and Cullian Sing made upon the Minds of the Inhabitants in the Province of “ Bahar ?”

Then Mr. YOUNG was called in, and examined as follows :

Q. Whether you know of any Effects produced by the Appointment of Kelleram to the Province of Bahar, and what those Effects were ?

The Counsel for the Defendant objected.

The Managers for the Commons, being informed that the Ground of Objection appeared to fall within the Range of the former Resolutions of the House, said, they would not press the Question.

Q. Do you know in what Manner Kelleram and Cullian Sing conducted themselves in the Situation in which they were put ?

The Counsel for the Defendant objected to the Question.

Q. Do you know Gunga Govind Sing ?

A. I have seen him, but have no personal Knowledge of him.

Q. What Character did he bear in the Country ?

A. He bore a very bad Character, both amongst the Natives and Europeans.

Q. In what Situation was he in Bengal ?

A. Gunga Govind Sing was once Dewan to the Calcutta Committee of Revenue; he was afterwards appointed Dewan to the General Committee of Revenue, that was established for the Collection of the Revenue, upon the Abolition of the Provincial Council.

Q. Is the Office of Dewan to the General Committee of Revenue, I mean Mr. Hastings's Committee of Revenue, an Office of great Power and Authority ?

A. It is an Office of great Power and Authority.

Q. Is it an Office of much greater Power and Authority than the Office of Provincial Dewan to any Provincial Committee ?

A. As being an Office of much more extensive Operation, extending over the Revenue Business of the whole Country; so far it must be an Office of much greater Consequence.

The Managers for the Commons being desired to ask the Witness the Nature of the Authority which the Dewan holds, informed the House that the Nature of his Power was already explained in Page 1181 of the printed Minutes; to which they begged Leave to refer the House.

Q. Then this Office of great Power and Authority was given to a Person of a general infamous Character ?

A. It was.

Q. Whether the Opinion of the Natives, and the Opinion of the Europeans with regard to this Man, was the same ?

A. Yes ; I said so.

Q. After the Provincial Council was abolished, and the Committee of Revenue appointed, were there the same Means of knowing the Situation of the Provinces, or any Oppressions that might be committed in them, that there were before ?

A. No ; there were not.

Q. During the Existence of the Provincial Council, was it an easy Matter for the Grievances of the Provinces to be concealed from the Council at Calcutta ?

A. I think not.

Q. Was it more easy that those Grievances should be concealed after the Appointment of the General Committee of Revenue, than it was before ?

A. Yes.

Q. Whether the Effect of this new Arrangement was to vest more Power in the Governor General, singly considered ?

A. I think it had that Effect.

Q. Explain in what Manner it produced that Effect ?

A. By concentrating the Business more immediately under his own Controul.

Q. (*by a Lord*). Was it more under the Controul of the Supreme Council ?

A. More immediately under the Controul of the Governor General.

Q. Whether the Farmers in the Provinces, (Farmers or Zemindars, calling them by what Names you chuse), whether they were or were not less under the Controul of the Government, under the new Arrangement, than under the old one ?

A. I think they were less under the Controul of Government under the new Arrangement than under the old one.

Q. Were they, or were they not, more open to the Oppression of a Dewan who was ill inclined ?

A. I think that they must have been.

Q. Do you know whether, or have you any Means of Knowledge, whether Oppressions did exist more, or less, after the Appointment of the new Government than under the old ?

The Counsel for the Defendant objected to the Question.

The Managers for the Commons being heard in Answer to the Objection, and the Counsel in Reply,

The Managers for the Commons were asked, if they had any Objection to the Form of the Question standing thus :

“ Whether more Oppressions did actually exist under the new Institution than under the old ? ”

The Managers for the Commons made Answer, That they assented to the Question standing in that Form.

The House adjourned to the Chamber of Parliament.

Die Martis, 4^o Maii 1790.

THE Lords being in their Places, the House resumed, the usual Proclamations made, and the Defendant appearing at the Bar, the Lord Chancellor said;

“ Gentlemen, Managers for the Commons, and Gentlemen, of Counsel for the Defendant, the Lords have resolved, That it is not competent for the Managers of the Commons to put the following Question to the Witness upon the Seventh Article of Charge; viz. ‘ Whether more Oppressions did actually exist under ‘ the new Institution than under the old ?’——Gentlemen, Managers for the Commons, you may proceed to make good your Charge.”

The Managers for the Commons desired Mr. Young might be called in.

Mr. YOUNG was accordingly called in, and examined as follows :

Q. Whether you heard, during your Residence in the Province of Bahar, or after your coming to Calcutta, of any Sum of Money privately given by the Rajahs Kelleram and Cullian Sing, or either of them, or any Agreement to pay any Sum of Money from either of these Persons ?

The Counsel for the Defendant objected to the Question.

Q. (*by a Lord*). Do you know of any Rumours abroad, in Calcutta or Patna, of any Present having been made, by Kelleram or Cullian Sing, to Mr. Hastings, before April, or May, or September, 1782 ?

A. I heard of such Rumours.

Q. At what Time ?

A. Previous to either of the Dates mentioned by your Lordships.

Q. (*from the Managers*.) Did you hear them from any Authority which you thought entitled to Credit ?

The Counsel for the Defendant objected to the Question.

Q. From whom did you hear these Rumours ?

The Counsel for the Defendant objected to the Question.

Q. (*by a Lord*.) Whether it was not a general Rumour prevailing amongst a great Number of People, and spreading much abroad ?

A. It was a very general Rumour at Patna.

Q. What was the Rumour ?

A. The First Rumour was previous to the Transaction having taken place, when Kelleram was sent for down by Mr. Hastings to Calcutta; it was generally reported and believed in Patna, that he and Cullian Sing were to have the Farm upon paying a certain Sum of Money.

Q. To whom ?

A. To Gungo Govind Sing, upon Account of Mr. Hastings; that was the general Report when Kelleram first went down. I did not hear any specific Sum, till I myself went to Calcutta some Time after.

Q. What did you hear at Calcutta ?

The Counsel for the Defendant objected to the Question.

Q. Was there a Rumour at Calcutta, before the Periods you mentioned, of such a Sum of Money having been received by Mr. Hastings ?

A. I heard the same Rumour also in Calcutta.

Q. Was that also a general Rumour ?

A. I believe it was.

Q. You have stated the Rumour at Patna. What was the Rumour at Calcutta ?

A. I heard in Calcutta—but I heard then a specific Sum, which was afterwards confirmed to me at Patna, that, previous to the Engagement of Mr. Hastings with Kelleram and Cullian Sing, such a Sum of Money was to be paid.

Q. What was that Sum ?

A. Four Lacks of Rupees. .

Q. Whether you ever made a Settlement with the Zemindars or Farmers during the Time you were in the Council at Patna ?

A. I said so : Very often.

Q. What Standard you had to estimate, what the Farmer ought to pay publicly as a Revenue, without knowing what the Farmer had agreed to pay privately to any other Person ?

The Counsel for the Defendant objected.

A. It is a Question which I really do not perfectly comprehend.

Q. How could you know what the Province could afford to pay publicly, without knowing what the Farmer had engaged to pay privately ?

The Counsel for the Defendant objected.

A. I really do not perfectly comprehend the Question, and as I understand it is rather wishing for an Opinion from me, I could wish to decline it, because I may misunderstand the Question.

Q. Whether, upon this Rumour, you took any Step to bring this Matter to the Ears of Mr. Hastings, or that you thought might be a probable Medium of conveying it to the Ears of Mr. Hastings ?

A. I do not recollect that I took any Step whatever to bring it to the Ears of Mr. Hastings.

Q. Do you think that any such Rumour could have so generally prevailed, without coming to the Ears of Mr. Hastings ?

The Counsel for the Defendant objected.

Q. Whether, or no, you are acquainted with the general Character and Estimation in which Gungo Govind Sing was held in that Province ?

A. I have answered that before.

Q. (*Cross examined.*) I understood you to say, in Answer to Two or Three Questions, that the Resum Casana, the Tuckavy, and the Batta, were added to the Provincial Contracts ; I wish to know, whether those Articles, the Resum Casana, the Tuckavy, and the Batta, were inserted in the Sunnuds as Matter of express Stipulation, or by the Custom of that Country ?

A. I cannot speak positively whether they were or not : The Resum Casana was always paid according to the Custom of the Country ; the Batta could not appear in the Farmer's Accounts ; that was in the Treasury Account only, and not charged to the Farmer at all ; it was a Profit upon the Collections.

Q. There was another Article they call Tuckavy ; how do you explain that ?

A. When a new Farmer went into a District, it was usual to give over to him the Ryots Bond, which was given for the Tuckavy advanced ; the Farmer usually collected it on these Ryots Bonds.

Q. Was that the Custom, or was the Article inserted in the Sunnuds ?

A. I believe, not inserted in the Sunnuds ; but, as far as my Recollection goes, I believe some such Engagement was always taken from the Farmer for it.

Then the following Questions, and the Answers of the Witnesses, were read by the Clerk from the printed Minutes, Page 1211.

‘ Q. (*By a Lord.*) What is the Meaning of Batta ?

‘ A. It is the Exchange between Siccas and Sonat Rupees. It is proper I should explain it : In some Parts of the Province of Bahar the Rent is paid in Siccas, in others in Sonats, and the Advantage of the Batta is the Exchange between one and the other, which, one Year with another, used to amount to 40,000 Rupees. Exclusive of these Two Articles, there is also an Article they call Tuckavy, which is Money advanced for the Purpose of Agriculture, paid in the Course of the following Year with a Profit of 25 per Cent.

‘ Q. (*By a Lord.*) To whom paid ?

‘ A. To Government, by the Persons who hold the Lease of the Country for the following Year.

‘ Q. (*By*

Q. (By the Managers.) Were those regular established Payments?

A. The Refum Cafana was an invariable Article; the Batta was not required of the Farmer, but was settled and appeared in the Treasury Accounts at Patna. The Tuckavy depended upon Circumstances, some Years more was advanced, some less; in general, about 20,000 Rupees."

Then the Witness was asked,

Q. Whether the Farmer was, or was not, obliged to advance yearly the Tuckavy to the Ryots?

A. No; the Farmer was not obliged to do it.

Q. Was he to have the Profits, whether he made any Advance or not?

A. The Profit was the Government's; the Profit belonged to the Government.

Q. Who had the Ryots Bonds?

A. The Money was generally advanced by the Direction of Government by the former Farmer, or whatever Person happened to have Charge of the Collection. He took Bonds from the Ryots, and those Bonds were handed over to Government.

Q. Whether it had not been usual for the Provincial Council to let the Lands in Bahar to the Farmers, and not to make distinct Engagements with the Zemindars?

A. In the Light in which I understand the Question we did both, according to Circumstances; we let the Lands either to Zemindars or to Farmers; if we had a Confidence in the Responsibility and Capacity of a Zemindar, we generally gave him the Preference; where we had not such Confidence, or where there were Circumstances that made it improper in our Judgement, we did not.

Q. Supposing the Farmer a proper Person, without examining whether he were or not, might not the Revenue be as advantageously collected by the Government being let to one Person, as by being let to many?

A. Supposing the Province of Bahar were to be let to one Man, and he unexceptionable as to Capacity and Property, I think it would be more advantageous.

Q. Whether, supposing the Person were one, the Revenue might not be as advantageously collected, if the Lease were a long one, as if it were a short one?

A. I think it might.

Q. You have spoken to the Character of Gunga Govind Sing—Whether your Residence was not principally at Patna?

A. It was.

Q. What is the Distance of Patna from Calcutta?

A. About 400 Miles.

Q. Whether, during the Period of your Residence in India, Gunga Govind Sing was not principally resident and employed at Calcutta?

A. He was.

Q. You said, you had seen Gungo Govind Sing—Had you ever any Concern with him personally yourself?

A. I never had.

Q. You speak of having received Impressions respecting this Person from the Natives as well as Europeans—Whether one Person from whom you received Impressions of the Character of Gungo Govind Sing, was not a Man of the Name of Ram Chunda Sing?

A. I have heard Ram Chund Sing speak of him; and I also knew at the Time that Ram Chunda Sing was Gungo Govind Sing's Enemy.

Q. You have been asked respecting the Measure of the Abolition of the Provincial Council, and said you were a Member of the Provincial Council at the Time, and had been so for 6 Years?

A. Yes; I said so.

Q. Whether you have not complained publicly of that Measure as extremely injurious to your own private Interest and Feelings, in Terms of this Sort; that you considered it as an Expulsion from House and Home; that you had Houses and Lands, that even your Assistants had some of them Houses; that you had Occupations, Pursuits and Amusements; that you had it in your Power to help some needy Friends, that depended upon you, and your own Misfortunes were aggravated by finding your Friends involved in it as well as yourself? Whether you have not spoken of this Measure in these Terms?

A. I spoke of it in those very Terms at the Bar of the House of Commons about Two Years ago.

Q. Then you did make those Complaints, and did feel the Measure in that Light, as a Measure injurious to your own private Interest?

A. I spoke of the Measure in those Terms at the Bar of the House of Commons; whether that can be considered as a Complaint in only answering the Question, I do not know.

Q. Did

Q. Did you not feel the Measure in that View, and entertain those Sentiments respecting it?

A. I certainly did consider it as injurious to myself, and to the Service of the East India Company.

Q. (*by Managers*). Whether, when you was in this Manner expelled from House and Home, any publick Benefit whatsoever arising from that Expulsion was notified to you?

A. I do not recollect there was any Benefit.

Q. Whether you was under any criminal Charge at that Time, to which you was called to answer?

A. I was under no criminal Charge at that Time.

Q. What was your Opinion of the Motives upon which you was so expelled?

The Counsel for the Defendant objected to the Question.

The Managers for the Commons waived their Question.

Q. Have you said, that supposing the Renter to be a proper Person, the Renting the whole Farm to him might be no disadvantageous Measure to the Publick?

The following Answer, given by the Witnesses in the Course of the Cross Examination, was read by the Clerk.

“ A. Supposing the Province of Bahar were to be let to one Man, and he unexceptionable as to Capacity and Property, I think it would be more advantageous.”

Then the following Question was put by the Managers for the Commons to the Witnesses.

Q. Did you think Kellaram to be an unexceptionable and responsible Person?

The Counsel for the Defendant objected to the Question.

Q. Then supposing Kellaram to be a Bankrupt and in Prison, would it be an advantageous way of letting the Lands?

The Counsel for the Defendant objected to the Question.

Q. Whether, supposing the Persons were Bankrupts, and in Prison, it would be proper to let the Lands to them?

The Counsel for the Defendant objected to the Question.

Q. Whether or no, in the Answer you gave, you meant to convey any Idea about Kellaram's being solvent, or not?

A. I did not.

Q. Whether the Character of Gunga Govind Sing had penetrated as far as Patna?

A. It was generally known at Patna; but when I stated, in Answer to a former Question, that I resided principally at Patna, I had frequently also been at Calcutta.

Q. Whether you did not converse with many other Persons, besides Ram Chunda Sing, on the Character of Gunga Govind Sing?

A. It is impossible that I can specify with what Persons I conversed on the Subject of Gunga Govind Sing; but it was a frequent Subject of Conversation both with Natives and Europeans.

The Witnesses was directed to withdraw.

The Managers for the Commons desired David Anderson Esquire might next be called in.

DAVID ANDERSON Esquire was accordingly called in, and being sworn, was examined as follows:

Q. In what Situation were you in Bengal about the Years 1780 and 1781?

A. In the Year 1780 I was President of the Provincial Council of Calcutta; in the End of that Year, or in the Beginning of the Year 1781, I was sent upon an Embassy to the Mahrattas in the Province of Cuttack; and in the Month of February 1781 I was appointed President of the general Committee of Revenue.

Q. How long did you attend that Duty ?

A. If you will give me Leave I will refer to some Notes, the Dates of which will enable me to speak with more Precision.

The Witnesses referred to, his Notes.

Q. How long did you attend that Duty ?

A. I observe from the Note I have taken in my Paper, that on the Second of March I embarked upon a Second Embassy to the Mahrattas under the Command of Chimnagjee Boosla.

Q. At what Place was that ?

A. In the Neighbourhood of Balasore.

Q. So that you attended the Duty of the Board from February to the Second of March ?

A. Yes.

Q. When did you return from Cuttack or Balasore ?

A. I imagine the Time of my Return must have been about the 19th or 20th of March.

Q. After your Return on the 18th of March, how long did you attend your Duty at the Board ?

A. Till the 7th of July in the same Year.

Q. Where did you go then ?

A. I accompanied Mr. Hastings upon his Expedition up to the Northern Provinces.

Q. When did you come back ?

A. In November or December 1783.

Q. In what Situation were you from the Month of June or July 1781 to the Month of November 1783 ?

A. I was sent along with Mr. Hastings, as an Assistant under him, about the Beginning of November 1781; he deputed me upon an Embassy to Madajee Scindia, and eventually to the Peshwa of the Mahratta State.

Q. That last did not take place in Point of Fact ?

A. No.

Q. When you returned in 1783, how long did you attend your Duty at the Board after that ?

A. I did not at that Time attend my Duty at all, for I was preparing to return to Europe for my Health, which was at that Time very bad; but I was beginning to recover much about the Time Mr. Hastings proposed to go up again to Lucknow, and it was proposed by him that I should accompany him.

Q. Then I understand you did not attend your Duty at the Board after your Return in 1783 ?

A. Not at that Time; but afterwards, in the End of the Year 1784, I attended my Duty for about Six Weeks or Two Months, just previous to my embarking for Europe.

Q. Therefore, except that Six Weeks, from the Month of July 1781, till the Time you left Calcutta, you never attended the Duty of the Board above Six Weeks: That is so; is it ?

A. Not exactly, it was longer than that; from about the 19th or 20th of March to the 7th of July; subsequent to that, not above Six Weeks.

Q. Did you continue all that Time in the Situation, and receiving the Emoluments of the President of the Calcutta Committee ?

A. I did.

Q. Whether you ever heard any Rumour of a Sum of Money paid to Mr. Hastings by Kalle-ram or Cullian Sing ?

A. I did.

Q. About what Time ?

A. I think I first heard of it much about the Time the Settlement was made, which I believe was either the End of 1780, or Beginning of 1781.

Q. What was the Report you then heard ?

A. My Recollection is very imperfect; but, to the best of my Recollection, I heard at that Time, that a Sum of Money, I think Four Lacks of Rupees, was proposed to be paid to Mr. Hastings:

Q. Had you any Conversation with Mr. Hastings upon that Subject ?

A. Not at that Time; I had afterwards.

Q. At what Time had you any Conversation with Mr. Hastings upon the Subject ?

A. I imagine it must have been about the Beginning of May 1781.

Q. Repeat, as nearly as you can recollect, what Conversation passed between Mr. Hastings and you upon that Subject?

A. At this Distance of Time I can scarcely recollect the exact Words; I can only mention the Impression that still remains in my Memory, that I communicated to Mr. Hastings what I had heard; and feeling some little Embarrassment at the Time, from the Situation in which I was placed, and from the Confidence he had placed in me in that Situation, he told me to make myself easy, or to give myself no Concern about what I had heard; for whatever Money had been received had been accounted for to the Company.

Q. What was the Embarrassment you felt? What do you mean by that?

A. I have mentioned I was in that Situation with Mr. Hastings, that I enjoyed a great Deal of his Confidence, and I should have thought myself blameable, hearing of it as I did, if I had not mentioned it; also in my public Duty I thought it necessary to mention it to him, as I should have Occasion afterwards to transact Business with those People who were said to be concerned.

Q. Explain how your Confidence with Mr. Hastings occasioned any Embarrassment?

A. In a Variety of Ways; One in particular, if the Report was not true, it was certainly proper Mr. Hastings should be informed of it.

Q. Suppose it was true?

A. If it was, that he might tell me what was to be done: I do not at this Time recollect all the Arguments that arose in my Mind, but that Embarrassment suggested itself to me upon it.

Q. Did you or not think the Report injurious to the Character of Mr. Hastings? Was that the Occasion of your mentioning it to Mr. Hastings?

A. Yes, it certainly was; I thought it inconsistent with the Character of Mr. Hastings.

Q. Whether all the Receipts of the Landed Revenue of Bengal did not, or ought not, officially to have passed through your Office?

A. Our Office was constituted by the Governor General and Council; it rested with them to constitute it as they pleased, either that the Receipts should pass through it, or not.

Q. (*by a Lord.*) Was it so constituted, that those Receipts should have passed through it?

A. I understand the Public Revenue was undoubtedly to pass through the Office.

Q. What do you mean by the Public Landed Revenue—Whether there is any Thing else but Public Landed Revenue?

A. That Revenue which is included in the public Settlement, which is generally made annually by the Zemindars and Farmers, under the common Name, in that Country, of Bundobust.

Q. Whether there is any Thing else in Bengal but Public Landed Revenue?

A. Under the Moorish Government, there certainly was.

Q. Under the English Government?

A. It would appear, from what I have heard here, and from what has passed, that there was something separate from the Public Revenue.

Q. What is that?

A. I can only speak from what I have heard here since this Trial commenced, and what passed between me and Mr. Hastings upon that Occasion; that there had been Sums collected separately from the publick Settlement.

Q. (*by a Lord.*) The publick Revenue of the Country, according to its Order and Constitution, is that which appears upon the Settlements, and that only; and that which you have heard since and allude to, is not what you consider as making a Part of the publick Revenue properly to called—That is so?

A. Yes.

Q. (*by the Managers.*) Independant of what you have heard since you came to England, whether you know in Bengal of any other Revenue but a publick Revenue?

A. I do not completely understand the Question; I certainly understood from Mr. Hastings, in the Conversation I had with him, that there had been Sums collected or promised by People employed in the Revenue, which were separate from any Thing that the publick Officers employed in settling the Revenue knew any Thing of, at least our Officers.

Q. By whom were those Sums collected?

A. I do not know by whom they were collected, at least not officially.

Q. Through what Office did they pass?

A. Mr. Hastings told me they were paid in to Mr. Croftes.

Q. Who received them?

A. I do not know any Thing further than that Mr. Hastings told me the Money was accounted for to Mr. Croftes, who was, I believe, at that Time Sub-treasurer to the Revenue Department.

Q. Was Mr. Croftes a Member of the Committee of Revenue ?

A. He was.

Q. Did those Sums appear in any publick Account of the East India Company, as far as you know ?

A. In none, that I know of.

Q. Whether, before Mr. Hastings informed you of this Sum of Money from Kellaram, whether before that Period you knew any Thing of a Distinction between a publick and private Revenue ?

A. Not under the English Government, as I at present recollect.

Q. Did you conceive it to be Part of your Duty, as administering the Revenues of Bengal, to receive, privately, a Sum of Money that you did not carry to the publick Account ?

The Counsel for the Defendant objected to the Question.

Q. Whether you were, or not, sworn not to take any Money privately ?

A. I was.

Q. Was Gungo Govind Sing sworn in the same Manner ?

A. I believe not.

Q. Was Gungo Govind Sing the Person who received this Revenue ; those Four Lacks ?

A. I did not know it in India at the Time ;—at the same Time I beg Leave to observe, that I find, from looking over my Papers, that I had heard that Gungo Govind Sing was the Channel.

Q. Did you ever examine or interrogate Gungo Govind Sing with respect to those private Receipts of Money ?

The Counsel for the Defendant objected to the Question.

Q. Had you ever any Conversation with Mr. Hastings and Gungo Govind Sing upon this Subject together ?

A. No ; not that I remember.

Q. When you farmed the Bundobust of any Province, did you take into your Consideration Sums of Money privately received, and not made a Part of the Contract ?

A. No.

Q. Then how could you be sure that you were not making an oppressive Settlement of the Country, when you made a Settlement without knowing what the Country paid.

The Counsel for the Defendant objected to the Question.

Q. Whether you was with Mr. Hastings at Moorshedabad in 1781 ?

A. I was.

Q. Did you see a Person named Nundoolol there ?

A. To the best of my Recollection, I either saw Nundoolol, or some Person on his Behalf.

Q. Did you or not settle some Dispute with Nundoolol respecting his Farm ?

A. To the best of my Recollection, he complained he had not obtained the entire Possession or Management of those Revenues for which he was to be accountable, or which formed a Part of what he farmed.

The Counsel for the Defendant desired to know from the Managers for the Commons how this was applicable to any Thing contained in the Articles of Charge.

The Managers for the Commons stated, that the sole Object for putting the Question was to assist the Witness to recollect whether he did see Nundoolol himself there, or not ?

A. I rather think Nundoolol was himself there.

Q. Whether you know any Thing of any Sum of Money paid to Mr. Hastings by Nundoolol at Moorshedabad ?

A. I do not know any Thing of it.

Q. Whether you ever had any Conversation with Mr. Hastings upon the Subject of that Sum of Money ?

A. I am pretty confident I had not.

Q. Did you ever hear of that Sum of Money being paid in India ?

A. I do not remember that I ever heard any Thing about it.

Q. Did Mr. Hastings ever inform you that he had received a Sum of 58,000 Rupees from Nundoolol at Moorshedabad ?

A. No ; not to my Recollection.

Q. Was



Q. Was you much in Mr. Hastings's Confidence at Moorshedabad ?

A. I was at that Period in his Confidence ; I had Reason to believe I was much in his Confidence.

Q. Do you know any Thing of a Sum of Money received by Mr. Hastings, from a Person of the Name of Nobkissen ?

A. No.

Q. Was Nobkissen a Farmer under the Government of your Board ?

A. Nobkissen was under the Survey of our Board.

Q. Had you any Conversation with Mr. Hastings with respect to Three Lacks of Rupees, paid to Mr. Hastings by Nobkissen ?

A. I do not remember that I had.

Q. Does any such Sum appear, as far as you know, in any official Account in your Office ?

A. Not to my Knowledge.

Q. Does any such Sum as 58,000 Rupees, received from Nondoolol, appear in any Account in your Office ?

A. Not that I know of.

Q. Whether you know any Thing of a Sum of Two Lack of Rupees received from a Person of the Name of Sadanund ?

A. No.

Q. Had you ever any Conversation with Mr. Hastings upon that Subject ?

A. I presume as to all these Sums, if your Lordships mean in India, I never had.

Q. Have you since ?

A. Since this Trial, I have heard Mr. Hastings, in drawing out his Defence, speak upon that Subject.

Q. Do you know any Thing of a Sum of 100,000*l.* received from the Vizier ?

A. I knew nothing of that in India.

Q. Was you with Mr. Hastings at Chunar ?

A. I was.

Q. Had you any Conversation with Mr. Hastings, with respect to the Sum of 100,000*l.* received by him from the Vizier when at Chunar ?

A. I am pretty confident I had not.

Q. Did you ever hear, while in India, any Thing respecting this Sum of 100,000*l.* ?

A. I am not sure ; but I do not recollect hearing of it : But hearing Things at different Periods, this Year, last Year, and t'other Year, I find myself at a Loss to distinguish what might be the first Time I heard of it ; I think I did not hear of it in India.

Q. Are you sure you did not hear of it at Chunar ?

A. I am almost confident I did not hear it at Chunar.

Q. Did you return with Mr. Hastings from Chunar to Patna ?

A. No, I did not.

Q. Had you ever any Conversation with Mr. Hastings with respect to any Sum of Money privately received, except what you have told us ?

A. I do not remember that ever I had.—Though, if I remember right, the Impression that Conversation I already alluded to made on my Mind was, that there had been other Sums, but not particularized.

Q. Whether you had not an Occasion, or was employed, to settle Disputes or Differences with Kelleram ?

A. I was.

Q. Whether, in settling those Disputes and Differences, you took into Consideration any Sums of Money that might, or might not, have been privately paid by Kelleram to any Body ?

The Counsel for the Defendant objected to the Question.

Q. (*by a Lord.*) The Question respects a Sum of Money privately paid by Kelleram to Mr. Hastings ; and whether you took that into your Consideration in settling the Disputes and Differences ?

A. Not Disputes between Kelleram and Mr. Hastings, but between Kelleram and other People employed in the Revenue ; I did not mean to say I was employed in settling Disputes between Mr. Hastings and Kelleram, but some Disputes between Kelleram and his Superior, Cullian Sing.

Q. (*By*

Q. (*By the Managers.*) Do you know how much of that Sum of Four Lacks of Rupees, you have mentioned, was paid?

A. I do not.

Q. Whether, previous to your leaving Bengal, the Security for those Four Lacks, or any Account of any Sum of Money that might remain due upon that Security, was left in your Office, or any Office, that you know of?

A. From what your Lordships have heard in the First Part of my Evidence, I was so very little Time in the Office, and that at short Intervals, that I cannot say whether it ever was or not—I do not know that it was.

Q. Do you know of that Money, or any Part of it, or any Security for it, being left in any other Office?

A. I do not; further than what Mr. Hastings told me of its having been paid in to the Sub-treasurer, Mr. Croftes.

Q. Did Mr. Hastings tell you that the whole Money, or only a Part, was paid in to Mr. Croftes?

A. What I understood at the Time was, that the Whole of what Mr. Hastings had received was paid in.

Q. Did you understand Mr. Hastings had received the Whole of the 4 Lacks, or Part of it?

A. I really do not know.

Q. Who was the Dewan to your Committee?

A. Gungo Govind Sing.

Q. Who appointed that Dewan?

A. The Governor General and Council.

Q. Who at that Time were the Governor General and Council?

A. Mr. Hastings and Mr. Wheler.

Q. Was the Office of Dewan an Office of great Power and Authority?

A. It certainly was an Office of very considerable Power and Authority.

Q. Who was Naib Dewan?

A. Prawn Kishen, the Son of Gungo Govind Sing.

Q. Who was Head Canongoe?

A. There were Two Head Canongoes, Lutch Minarrain and Mehind Narrain.

Q. Who executed their Office?

A. The Office of Lutch Minarrain, as principal Naib, was Gungo Govind Sing;—the principal Naib of the other, that held an equal Authority with Gungo Govind Sing, I really forget his Name.

Q. In point of Fact, did not the Naib Canongoe do the whole Duty of Office of Head Canongoe?

A. I believe he did.

Q. Was it not Part of the Duty of the Naib Canongoe, and the Naib Dewan, to be in the Nature of a Check upon the Dewan? What was the Office of the Naib Canongoe?

A. The Naib Canongoe was an Office of very ancient Institution under the Mahomedan Government, I believe established by the Emperor Acbar; it was to keep the Receipts of the Assessments in all Parts of the Assessment framed by the Nabob, to the different Proportions that fell on the smallest Portions of Land;—they keep an Account of that, and also of all the Boundaries and Districts, so that if any Alteration took Place, they noticed them down; and had a vast Variety of other Accounts: Also Accounts of the Collections of each District from the Head Office or Cutcherry down to the smallest Holder of Land under them; but in some Districts, where the Zemindars were powerful, I believe they had not been able to obtain that Account.

Q. Was this Office a Check upon the Dewan?

A. They arise from different Constitutions;—the one arose from the Mahomedan Government, the other from the English Government; and the same Person is appointed Dewan that was Naib Canongoe; of course they were no Check.

Q. Whether, when they became two Offices, the Duty of the Naib Canongoe was not to be a Check upon the Dewan?

A. Certainly.

Q. Whether it was not the Business of the Naib Dewan to check in some Degree the Office of Dewan?

A. No; it was his Duty to assist him—it was no further a Check than that different Officers in the same Office are a Check upon one another.

Q. (*by a Lord*). Does not the Word Naib mean Deputy?

A. Deputy.

Q. Whether the Dewan had not, in a great Measure, the Revenues paid at the Treasury entirely at his Disposal?

A. He was the principal Officer employed in enforcing the Collections, and seeing the Collection of the Revenues paid in; and that the Payments came in according to the Instalments.

Q. Whether the Dewan had it not in his Power (if he thought fit) to lay the Renters under Contribution?

A. I dare say that if he chose it he might do it, but he was subject to be detected in it. As he had a considerable Trust and a good Deal of Business to transact with the Collectors, certainly he might prevail upon them.

Q. Do you mean by that, that he could do it by virtue of his Office, or that by reason of the Influence of his Office he might do it, if he thought fit?

A. If he meant to abuse his Authority, he might induce the Renters to pay Sums of Money; but he must do it at his Peril.

Q. Whether, if he had the Inclination so to exercise his Power, the Detection would not be extremely difficult?

A. If it was very general it would not be difficult; but that he might do it sometimes, so as to be difficult to be discovered, is very probable.

Q. Whether, after all, the Committee with the best Intention, and with the best Ability and steadiest Application, might not, to a certain Degree, be Tools in the Hands of the Dewan?

The Counsel for the Defendant objected to the Question.

Q. Whether, from the Constitution of the Office, the Committee had it in their Power, in any great Degree, to check the Malpractices of their Dewan, if he was so inclined?

A. They had full Power to check them; but the Confidence which they must necessarily repose in their executive Officer, in carrying on so extensive a Business, might in some Cases be abused. I think it would require great Attention to prevent Abuses, if the Dewan was so inclined.

Q. Whether it was more likely, from the Constitution of the Office, that he should be able to mislead them, or they to coerce him?

A. That is too nice a Calculation to balance one against the other.

Q. Who was Gungo Govind Sing?

A. Gungo Govind Sing, when I first knew him in 1769, was employed under the Nabob Mahomed Reza Cawn, as one of the Officers of the Canongoe, or rather the Representative of his Brother, on taking the Settlements of Revenues occasionally; he was afterwards, on the Removal of the Collections of Revenue from Moorshedabad to Calcutta, thrown out of Employment in that Respect, and I believe there was a temporary Suspension or Abolition of the Canongoe Office; he went to Calcutta till it was restored, and, while there, he was appointed a Deputy to Rajah Raje Bullub, who was Dewan to a Committee and Roy Royan of the Khalsa; he afterwards, about the Year 1774, was appointed Dewan of the Calcutta Committee of Revenue, and he was Dewan of the Calcutta Committee at the Time he was appointed Dewan of the General Revenue Committee.

Q. Was he removed from any of these Offices?

A. I have heard that he was.

Q. Were there ever any Complaints made to you of Gungo Govind Sing?

A. I do not recollect any official Complaints, or indeed any specific Complaints.

Q. Whether you did not attend Mr. Hastings in a confidential Situation when he went up to Lucknow in 1784?

A. I did.

Q. Was you at that Time much in Mr. Hastings's Confidence?

A. I believe I was.

Q. Did Mr. Hastings inform you at that Time, that he had taken the Sum of 100,000*l.* from the Nabob?

A. I do not remember that he did.

Q. Did Mr. Hastings, at that Time, inform you he had received an Offer of another 100,000*l.* from the Nabob?

A. I think Mr. Hastings, upon some Occasion, whether at Lucknow or after we came from it I am not very sure, mentioned that Money had been offered to him, which he had refused.

Q. What Conversation did Mr. Hastings hold with you upon the Subject of Money, or Offers of Money, or Assignments for Money ?

A. I do not recollect any Conversation whatever with respect to Assignments, or Offers of Money.

Q. Had you any Conversation at all relative to the Disposition of 100,000 l. offered to him, and by him refused ?

A. No : I do not remember that I had.

Q. Were you not employed in regulating the State of the Nabob's Revenue, and in settling the Course of his future Payments ?

A. I was.

Q. Whether you have heard Gungo Govind Sing was removed from any of his Employments, upon Complaint of Abuse of Office ?

A. I have heard he was removed from his Office of Dewan of the Calcutta Revenue.

The House adjourned to the Chamber of Parliament.

Die Martis, 11^o Maii 1790.

THE Lords being in their Places, the House resumed, the usual Proclamations made, and the Defendant appearing at the Bar, the Lord Chancellor acquainted the Managers for the Commons, they might proceed with their Evidence.

The Managers for the Commons desired Mr. Anderson might be called in.

Accordingly DAVID ANDERSON Esquire being again called in, was examined as follows :

Q. Whether any Security was taken from Kelleram for the Farm of Bahar ?

A. I understood that Rajah Kelleram and Cullian Sing were jointly responsible ; or rather, that it was in the Name of Cullian Sing.

Q. The Question was, whether any Security, or formal Instrument by which they gave Security, was taken from them ?

A. I believe there was a formal Instrument.

Q. Whether there was any collateral Security except the Two Farmers themselves ?

A. I do not remember there was any.

Q. Had you any Conversation with Mr. Hastings respecting the Subject of their giving Security ?

A. I do not remember that I had.

Q. Whether you have not understood there was a regulation of Government in the Year 1772, or thereabouts, for obliging all Farmers of the Revenue to come to an Agreement, that they would not give more to any Person, by way of Present or otherwise, than was contained in their Agreement ; did you ever know of any such Regulation as that proposed ?

A. I do not exactly remember it, but I think it is probable there was.

Q. Whether that Regulation was observed with regard to Kelleram or Cullian Sing ?

A. I do not know the exact Nature of the Agreement that was made with Rajah Kelleram or Rajah Cullian Sing, therefore I do not know whether it was inserted in it or not ; it was made at a Time when I had nothing to do relative to the Revenue.

Q. Whether the Collection of that Revenue did not come within the Province of your Committee during the First Year of the Lease to Kelleram or Cullian Sing ?

A. It did : In the latter Part of the first Year of the Lease it came under the Committee.

Q. Did you ever see any Cabooleat executed by Kelleram Sing or Cullian Sing, or either of them ?

A. I do not remember.

Q. Whether you ever enquired concerning the Observance or Non-observance of that Regulation with regard to those Two Persons ?

A. I do not remember that I ever did.

Q. Whether, during the Time of your attending the Committee, you ever made any Enquiry with respect to the Observance or Non-observance of it by any other Persons ?

A. I do not remember I did.

Q. Whether, in the Agreement which you or the Committee made with any of the Farmers General in the Provinces, this Regulation was observed or not?

A. I do not remember that it either was or was not inserted: I cannot say; but I imagine the Records will shew the Nature of most of the Agreements.

Q. Whether or no you are quite sure that the Copies or Counterparts of all these Leases made by the Committee have been transmitted to Europe?

A. I rather think not: I never heard it was customary to send the Leases of all the inferior Zemindars, unless upon particular Occasions: I rather think it was not the general Practice.

Q. It is stipulated, by the Eleventh Article, that the Farmers Payments to Government shall be ascertained and established, and no Demand made upon them beyond what is mentioned in the Rent-roll; do you remember that Regulation?

A. I do not remember it: I dare say there was such a Regulation; but I do not remember it; I have no Reason to think there was not.

Q. Did you think yourself authorized to take from any of the Farmers more than was stipulated in the Rent-roll?

A. No.

(Cross examined.)

Q. Whether you are acquainted with the Nature and the Extent of the Functions of the Provincial Council, as exercised by them prior to their Abolition in the Year 1781?

A. I was.

Q. State the Nature and Extent of those Functions: How do you describe them?

A. The general Object of their Appointment was to make the Settlement or Assessment of the Revenue, by Agreement with the Zemindars.

Q. How did you proceed after that?

A. It was afterwards their Duty to collect that Revenue.

Q. What other Powers were exercised?

A. It was their Duty to settle any Disputes which might arise between the Zemindars and the Farmers of Government and their inferior Tenants, in different Gradations down to the Ryots or Cultivators of the Land: It was also their Duty to administer Justice in Civil Causes throughout the Provinces, until, I believe, about the Middle of the Year 1780, when that Department was separated from them; but I am not exact as to that; and, in general, they were answerable for the general Government and Peace of the Country.

Q. Were there any considerable Mischiefs or Inconveniencies attending the System of the Provincial Council, and the Mode of collecting the Revenue by it?

A. It was thought that the Business was sometimes retarded by the Disputes which prevailed in the Provincial Councils, and it was thought that the Revenue had rather decreased under that System.

Q. Were those Mischiefs, or any other, obviated by the new Regulations in 1781, by the Substitution of the General Committee?

A. I do not remember, while I was in the Committee of Revenue, of any Disputes happening to retard the Business, and I understood the Revenue was increased at that Time, and, during the Time I was there, we increased the Assessment paid by the Zemindars and Farmers to the Government; but I did not remain to the End of the Year.

Q. Whether the Provincial Councils, while they subsisted, did not employ native Dewans in the Collection of the Revenue?

A. They did.

Q. Whether the Business of collecting the Revenue could be conveniently transacted without employing such Persons?

A. I do not think it could, without employing certain Natives to assist in the same Functions as were exercised by the Dewan.

Q. Why do you think so? Give your Reasons.

A. I am afraid it will lead me to a long Discussion; because, perhaps, one Provincial Council may have to settle the Rents or Revenue of upwards of a thousand different Persons; all their Agreements must be in a Foreign Language, either in Persian or Bengal, not in English: Their Revenues were paid Monthly, or sometimes twice in the Course of a Month; the Accounts were kept in another Language, in Bengal. It was impossible for any English Gentleman, or the Assistants he could have at that Time, to have gone through the Whole of the Detail himself; it was impossible he could have done it, as the Agreements were in another Language; it was necessary therefore to have a Native Officer to superintend and direct the vast Number of inferior Native Officers that must be necessarily employed in that Business.

Q. Do

Q. Do you know of any other Reason : had they better Means of Information ?

A. They certainly would have better Information.

Q. Whether the Collectors that are now substituted in the Provinces in the Room of the Provincial Councils do not employ Native Dewans ?

A. I can only say, as it is upwards of Five Years since I left Bengal, that I have heard so ; but I can only speak from Hearsay.

Q. Do you know by whom they are nominated or appointed ?

A. No.

Q. Whether you know, all Circumstances considered, any Person more fit for the Office to which Gunga Govind Sing was appointed than Gunga Govind Sing ?

A. I do not remember any Person at present that I should have thought more fit than Gunga Govind Sing.

Q. He has been described as a Native of infamous Character, generally distrusted, hated, and feared : Was that his Character ? Do you know the Character of Gunga Govind Sing ?

A. I do not think he had generally a bad Character ; on the contrary, I think he generally had a good Character ; but at the same Time there might be Persons found in Bengal who would give him a bad Character ; there were Persons who had taken opposite Sides of a Party, which will have an Effect upon the Minds of People, and Persons who had suffered by his Appointment who were his Competitors.

Q. Did you know Ramchunda Sain ?

A. I don't know him : I have heard a very indifferent Character of him.

Q. In the Execution of the Office of Dewan, did Gunga Govind Sing employ, or have the Assistance of a Person of the Name of Prawn Kishen ?

A. Yes ; he was his Son.

Q. Was Prawn Kishen fit to be employed in the executive Department of that Office ?

A. I had a very high Opinion of Prawn Kishen.

Q. Did the Conduct of Prawn Kishen in that Office justify the Opinion you had of him ?

A. He acted but a very short Time under me in that Office, my Experience was before he was appointed to that Office ; about Three Months after he was appointed he went up to Dacca with Mr. Shore, and about his Return, or soon afterwards, I accompanied Mr. Hastings to the Northern Provinces ; but I have always heard his Conduct favourably spoken of by those with whom I have conversed.

Q. You have stated upon your Examination in chief, that Gunga Govind Sing was one Naib Canongoe,—Who was the other ?

A. For a long Time, for a great Part of the Time I was employed in the Revenue Business, it was Sere Narrain Mustofee, I do not recollect any other but him ; Gunga Govind Sing was the Naib of One of the Canongoes, and Sere Narrain Mustofee the other.

Q. Was he the particular Friend of Gunga Govind Sing, or immediately under his Influence or not ?

A. I believe he was not ; I think he was rather, in some Degree, a Rival of his, and in some Degree jealous of his Superiority.

Q. Do you recollect at what Time the Quadruple Alliance was formed between the Nizam, the Berar Rajah, the Poonah Government, and Hyder Ally ? Do you know any Thing of such a Quadruple Alliance ?

A. I have heard there was ; I understood there was.

Q. Did you so understand it at the Courts of the several Powers I have stated to be confederated in that Alliance ?—Was you at those Courts ?

A. I was at the Court of Madajee Scindia, who was one of the principal Chiefs under the Peshwa of the Mahratta Government, and at his Court I did so understand it.

Q. Did you so understand it at the Time you went upon your Embassy to the Berar Rajah ? Was you employed at the Court of the Berar Rajah ?

A. I was employed not directly at the Court of the Berar Rajah, but with the General of the Army :—I was sent only upon an occasional Embassy.

Q. Did you know of that Alliance then ?—At what Time was the Force under Chimnagée Boosla dispatched to the Frontiers of the Bengal Province ?

A. I understood in the Year 1779 ; I believe in the Month of August 1779.

Q. At the Time that Force was so sent, what was the Size of it under Chimnagée Boosla ?

A. It was said to consist of 30,000 Horse.

Q. Did you understand at the Time you was in the Camp with Chimnagée Boosla, that that Force was sent in consequence of the Alliance of those Four Powers ?

A. I understood so, that it was.

Q. Having

Q. Having ascertained that the Alliance subsisted at a Period prior to August 1779:—Whether, from that Period downward, there was not a peculiar Exigency in the Affairs of the Company for Money?

A. I am not sure the Pressure upon the Company's Affairs began so early as August 1779, but there was a very great Pressure in their Affairs in the Beginning of the Year 1781.

Q. Do you know the Period when the Company began to make Payments in Paper?

A. I do not.

Q. Do you know whether that Army under Chinnagee Boosla, amounting to 30,000 Horse, upon the Frontiers of the Company, was or was not, towards the End of the Year 1780, in considerable Distress for Want of Money or Provisions?

A. I understood, from the Rajah Chinnagee the Commander, that it was.

Q. Do you know whether a Treaty was not opened between Mr. Hastings and Chinnagee Boosla, the Minister of the Berar Rajah, for suspending the Irruption of that Force into Bengal, and for other Purposes; and whether, in consequence of that, the First Sum of Three Lacks was not sent to Chinnagee Boosla—Do you know of any Treaty between Mr. Hastings and Chinnagee Boosla upon the Subject of that Force?

A. Yes.

Q. There was a Treaty for the Purposes I have stated?

The Managers for the Commons objected to the Question.

Q. (*By a Lord.*) Was there any Negotiation between Chinnagee Boosla and Mr. Hastings for a Treaty?

A. If I understand right, it alludes to a Proposal which I have understood was sent from the Governor General and Council, in the Month of October, to Moodajee Boosla.

Q. (*By the Managers.*) Did you carry that Proposal?

A. No; I did not.

Q. (*By a Lord.*) What Knowledge have you of it?

A. I was afterwards employed a good deal in Negotiation between Chinnagee Boosla and Beneram Pundit, at the Time he came down to Calcutta, when they did actually settle a Treaty with our Government; it was from the Conversation I had then with Mr. Hastings on the one Side, and Beneram Pundit on the other, I heard a great deal of the former Negotiation, which never was carried into Effect.

Q. Who was Beneram Pundit?

A. He was Soubah of Cuttack on the Part of the Mahratta Government; when the Mahratta General was not pleased with the Terms I carried to him, and would not come to a Conclusion, it was the last Expedient to send Beneram Pundit along with me to Calcutta; and upon his arriving at Calcutta, he did enter into one, and a Treaty was afterwards settled, which is now upon your Lordships Table.

Q. Whether you do not know the Sum of Three Lacks was sent by Mr. Hastings to Chinnagee Boosla, in order to relieve the Distress of the Army under his Command, prior to the Time when you went upon your Embassy?

The Managers for the Commons objected to the Question.

Q. Did you learn, in the Course of any Correspondence you had with Chinnagee Boosla, the Matter of those Lacks being so sent?

A. Yes: I have said that Beneram Pundit was sent, on Behalf of Chinnagee Boosla, to settle Matters with the Governor General and Council at Calcutta. One great Object of that, was a Sum of Money to be paid to Chinnagee Boosla for the Relief of his Army. I was employed, not officially, but in Messages backwards and forwards to Beneram Pundit. The Sum ultimately settled was Sixteen Lacks, to be paid to Chinnagee Boosla for the Relief of the Berar Army; and, in Part of the Sixteen Lacks, it was admitted that Three Lacks had been sent to the Berar Army at a previous Period.

Q. Did you also understand that from Chinnagee himself:—State what passed?

A. I do not remember that I had it from Chinnagee Boosla; I had very little Conversation upon Points of Business with Chinnagee, for he was very young, and left his Business to the Berar Minister; but, with respect to the Distresses, he himself took a Part, and, in the strongest Terms, entreated me to represent his distressed Situation to the Governor General and Council.

Q. What Effects were produced upon the Interests of the Company by sending this Supply of Three Lacks, and afterwards giving the further Supply of Thirteen Lacks?

A. It is difficult to say positively the Effects, but it is very certain that Chinnagee Boosla did not afterwards take any active Part against us, and I understood, on the contrary, that he sent a small Body of 2000 Horse to join our Commander, and to assist Sir Eyre Coote; but they were not employed I believe.

Q. Whether, in consequence of this Supply of Cash, the March of Colonel Pearce to Madras was not allowed by the Rajah of Berar to pass through the Heart of his Country?

A. The March of Colonel Pearce was admitted through the Heart of the Province of Orissa, which was under the Berar Government.

Q. Did you understand that to be in consequence of the Money that was remitted?

A. It might have been in consequence of the First Sum of Three Lacks, but not of the Thirteen, because it was prior to the last Payment.

Q. Whether the Army of the Berar Rajah did not occupy the only Road through which the Army could have passed?

A. I understand so.

Q. Do you not know the Road I am speaking of; and whether that is not the proper and only Pass for a Military Force?

A. I myself went to Cuttack.

Q. What Knowledge have you of the Berar Rajah's Forces having occupied the Post?

A. I understand they occupied that Part of the Country about Cuttack.

Q. You heard so?

A. Yes.

Q. From whom?

A. From the People of that Country.

Q. Whether, subsequent to the Time of these Three Lacks being sent, you know of any Hostilities being committed in the Province of Bengal?

A. There were scarcely any Hostilities to be ascribed to the Commander of the Marattah Army, but there were Instances of some plundering Parties, who made some Disturbances there for Two, or perhaps Three Days at furthest.

Q. What Notice was taken of these slight Depredations by Chimnagoe Boosla the Commander of the Army, and at what Period do you speak of these Depredations having happened?

A. I believe I can fix the Date very nearly, because it was about the Time that I arrived at Berepole upon my second Embassy: I was detained there in consequence of it; and I was obliged to change my Rout; it must have been about the 4th or 5th of March 1781.

Q. Whether Chimnagoe Boosla punished them, or whether any Notice was taken of it by Chimnagoe Boosla?

A. Yes; I myself represented them, and he promised they should be very severely punished.

Q. Whether the Road from Bengal to Cuttack was not a Causeway through an extensive Marsh?

A. Excepting in the rainy Season, I don't think it was to be considered as a Marsh.

Q. Was it a formed Road?

A. One Road was always considered as a High Road, and I believe it would have been very difficult for our Army to have marched by any other Way.

Q. Whether the Expedition that was planned and executed against the Dominions of Madajee Scindia had any Effect upon the Confederacy? Do you know of any Expedition?

A. I believe there was.

Q. Had it any Effect in detaching him from his former Alliance?

A. From what I could observe afterwards, and reasoning upon the Subject, I should imagine it had a considerable Effect; I mean, reasoning from what I observed at the Time.

Q. Was you Minister at the Court of Madajee Scindia after this?

A. I was.

Q. What was the Situation of the Company's Affairs, and their pecuniary Resources in 1780 and 1781?

A. I have understood that at the latter End of 1780 they were in very considerable Distress, and that there was a Difficulty of supplying the Expences of the various Armaments at that Time on Foot.

Q. Do you know how many Armaments were at that Time maintained in the different Parts of Hindostan?

A. I can only speak of those Armaments that were set on Foot from Bengal.

Q. Name those sent from Bengal itself?

A. In the first Place, the Troops with Sir Eyre Coote; the Detachments under Colonel Pearce, which marched about January 1781; there was also about this Time the Army under Colonel Camack in the Expedition to Malva.

Q. Do you know what Force was sent under the Command of General Godard ?

A. I beg Pardon, I omitted the Army under General Godard, maintained entirely by Money from Bengal, which was then acting upon the opposite Side of India.

Q. Having enumerated those Armies, do you know whether those Armies were well paid, or in considerable Arrears ?

A. I understood they were in Arrear, but I cannot say positively.

Q. You were not with any of them yourself ?

A. No ; I just stopped with Colonel Pearce's Army.

Q. Whether, after the Irruption of Hyder Ally into the Carnatic, there did not exist in the Affairs of the Company, a Situation of great Exigency, Danger, and Distress ?

A. I thought so, and almost every one thought so.

Q. In what Estimation was the Character and Conduct of Mr. Hastings held by the Natives of Bengal ?

A. I believe I may safely answer that Question, that except by a very few Men indeed, the Adherents of former Parties who had been disappointed in their Expectations, I believe his Character was held in very high Estimation.

Q. Upon the Subject of Humanity and Disinterestedness, was he esteemed a humane and disinterested Man ?

A. I think he certainly was esteemed in that Way.

Q. Do you speak of the Estimation Mr. Hastings was held in, not only by the immediate Subjects of his own Government, but with the Princes and Powers in India with whom he had Occasion to negotiate ?

A. I never heard him spoken of but in the highest Terms in the Courts where I resided.

Q. (*by Managers*). Are you a military Man ?

A. No.

Q. Nor ever were ?

A. Never. I do not reckon the Militia Military ; I was in the Militia for two Years.

Q. Do you know any Thing at all about the marching of an Army, or any Thing relative to Military Affairs ?

A. I marched for Two Years with the Marrahta Army ; but I know very little of the March of an European Army.

Q. Are you not the particular Friend of Mr. Hastings ?

A. I have long considered myself as such.

Q. You said it was the Duty of the Provincial Council to settle the Disputes between the Renters and Ryots : Whose Duty was it to settle Disputes between the Renters and the Ryots after the Abolition of the Provincial Council ?

A. The general Committee of Revenue established at Calcutta.

Q. And the General Committee only ? Were any other Persons charged with that Duty but the General Committee of Calcutta ?

A. I do not recollect any other Persons.

Q. You have said the Provincial Council were answerable for the good Government of the Country under their Charge : Subsequent to the Appointment of the Committee of Revenue, who was answerable for the good Government of the different Provinces ?

A. I now understand the Question in a different Light ; it was the Duty of the Council of the Committee of Revenue at Calcutta to settle all Disputes of Revenue between Farmers and Ryots in such Districts as paid immediately to them ; but there were other Districts which still remained subject, not to the Provincial Councils, but to English Gentlemen stationed under different Names, some under the Name of Collectors, others under the Name of Provincial Chiefs, being the Provincial Chiefs of those Provincial Councils which were abolished, and which Chiefs were allowed to remain.

Q. Whether the remaining of those Provincial Chiefs was not a Measure merely temporary ?

A. It was intended to be temporary, but I believe they were continued.

Q. Who was answerable for the good Government of the Country after the Abolition of the Provincial Council in those Districts where the Provincial Council had been answerable ?

A. In those Districts where there were Chiefs and Collectors, the Chiefs and Collectors became answerable.

Q. But in those Districts where there were no Europeans, who was answerable ?

A. After the Abolition of the Provincial Councils, if there were any Districts where there were no Chiefs nor Collectors, the Committee of Revenue was answerable.

Q. How

Q. How much of the Districts of Bengal were immediately under the Power of the Committee of Revenue?

A. I cannot immediately recollect; it stands upon Record.

Q. Was it a very large Proportion?

A. It was a very large Proportion; but in some there still remained Chiefs in the District; for instance, Patna:—I believe Cullian Sing and Kelleram, the Two Farmers General, engaged to pay their Rents to the Committee at Calcutta; but there still remained a Chief there, Mr. Maxwell.

Q. Whether those Chiefs, stated to be there for a temporary Purpose, had equal Power and equal Means to settle the Disputes between the Renters or Ryots, or of providing for the good Government of the Country, as the Provincial Council;—were they armed with an equal Authority?

A. I do not think any Part of the Authority was taken from them.

Q. Do you think their Situation made them equally capable?

A. In some Respects they had more Power, in others they had less;—it is difficult to state all Matters of Fact that might be stated; but in some they had more Power, because a single Chief, I hold, has more Authority than a Chief whose Power is parcelled out with Five other Gentlemen; he can act with more Firmness, acting from a single Mind than from Five:—And I will state in what Respect he might have less Power; if he was not the Person to receive the Revenue, nor answerable for the realizing the Revenue, he might sometimes find it difficult to interfere in settling the Disputes, which always gave rise to some little Stoppage of the Revenue.

Q. Who did all the Business of the Native Dewans, after the Abolition of the Provincial Councils?

A. It was variously done: The Business of the Settlement was done differently—in some Places there were English Gentlemen deputed, and they had Native Dewans to assist them:—In some of the greater Districts the Settlement was made immediately by the Committee of Revenue, or, if it required much Detail, by the President of the Committee, and afterwards reported and approved of by the Board; and, as to the inferior Zemindars, it was impossible for the Committee to settle all of them: They were settled by their Dewan, who was Gunga Govind Sing, and where there were Collectors, the Collectors and their Dewan settled them; where they were Huzzoory, it was the Dewan of the Committee acting under the President.

Q. In those Districts called Huzzoory, which are Two Thirds of Bengal, who settled, received, and decided the little Disputes that arose, and which were formerly under the Management of the Native Dewans after the Abolition of the Provincial Council?

A. It was chiefly the Dewan, still under the President, and in the Provincial Council under the Chief.

Q. Did you apply yourself to the Districts called Huzzoory as well as the rest?

A. In the Committee we did.

Q. You say, those Native Dewans had often to settle with a thousand Persons: How many had the Dewan to settle within those Districts which were called Huzzoory?

A. He would not have the same Proportion as if there were Six different Provincial Councils incorporated in the Committee, because there was still a great Part of the Country which remained under the Collectors; but he would have a very large Number, he would have some thousands.

Q. My Question goes to those Districts immediately under the Committee?

A. I have before said, about a Thousand under the Provincial Council: I took that Number of a Thousand as a large Number; and under the Committee I said he would have some Thousands.

Q. Whether this Character of Gunga Govind Sing be a true one, or not; “that at the Time he was proposed to be employed in the Company’s Service he had many Enemies, and not one Advocate among the Natives”?

A. I do not think it is.

Q. Whether you have heard Gunga Govind Sing loaded with many general Reproaches, but never heard a Person express a Doubt of his Abilities; is that true?

A. No; I do not think it is.

Q. Whether the Nizam took any hostile Step whatever against the English Government?

A. I understand not further than entering into the general Treaty which was intended to enforce Hostilities against them.

Q. Whether you ever saw that Treaty?

A. No; I never did.

Q. Can

Q. Can you take upon yourself to say, that any Step was ever taken in consequence of such a Treaty, if such a Treaty existed?

A. I can only speak of what I understood in all the Conversations I had with different People, and I do not remember it ever to be contradicted. I understood Hyder Ally invaded the Carnatic in consequence of that Treaty; and Moodajee Boosla advanced to Bengal with an intent, in consequence of the Treaty, to invade it; but whether it was, or not so, I cannot say.

Q. Whether the Army under Clannajee Boosla ever made any hostile Attack upon the Province of Bengal?

A. Under the Order of it's General none: I mentioned accidental Disturbances, which arose from some Plunderers invading our Confines, but they made no hostile Attack otherwise upon Bengal.

Q. Whether in the Month of August 1779 the India Company were in any Difficulty for Money?

A. I do not know that our Distresses began so early;—I rather think they did not in the Month of August 1779.

Q. Can you explain how a Sum of Money, which lay in the Hands of Gunga Govind from August 1779 till October 1780, could tend at all to relieve the Distresses of the East India Company's Affairs?

A. I do not see how it could while it lay in Gunga Govind Sing's Hands.

Q. Whether a Sum of a Lack and an Half, which laid in Gunga Govind Sing's Hands from November 1780 to the present Day, might not have been employed beneficially to the Company's Affairs?

The Counsel for the Defendant objected to the Question.

Q. (*by a Lord*). Do you know if there was any such Sum of Money in Gunga Govind Sing's Hands?

A. I do not know.

Q. If it were, it might have been better employed?

A. I do not know; if we had a large Balance in the Treasury, it might be employed any other Way as well: But I believe that was not the Case; we wanted Money.

Q. (*By Managers*.) Whether, during the Whole of the Year 1780, there was any such Distress in the Company's Affairs, as to put them to Difficulty in raising Three Lacks of Rupees?

A. I do not believe there was; I believe there was a larger Sum raised.

Q. Whether, after the Year 1781, the Company did not borrow several Millions?

A. They borrowed very large Sums; I cannot say what.

Q. Whether you heard, about that Time, of Mr. Hastings receiving any other Sums of Money privately?

A. What Time?

Q. (*by a Lord*.) The last Time spoken of was during the Course of the Year 1780?

A. I really do not remember. I mentioned, that in 1780, about the End of the Year 1780, I heard of a Sum from Kellaram and Cullian Sing; and I then endeavoured to trace, in my Mind, if I ever heard of any other; but I could not trace in my Mind any such Thing.

Q. Whether, at any Time from 1780 to 1784, you heard of any Money privately taken by Mr. Hastings?

A. I am at a Loss to recollect whether I did or not; but if I did hear of any, it must have been in the Year 1784, the latter Period of it, when some Correspondence had taken Place between Mr. Hastings and the Court of Directors; but I did not hear of it from any other Means, if I heard of it at all.

Q. Whether in Bengal, before you left it, in 1784 or 1785, you did, or did not, hear of any Sum of Money received privately by Mr. Hastings, besides that from Cullian and Kellaram Sing?

A. I certainly do not recollect at present any other Sum: I have no Recollection of it; all I can possibly recollect is from those Letters Mr. Hastings wrote; but whether I heard of them before I came to England, I cannot tell: I have endeavoured to trace it, and the Question has been put to me elsewhere.

Q. Whether you did, or did not, hear of any other Sums of Money paid privately to Mr. Hastings while you was in India?

A. I have said, I cannot say that I remember it; and I am sure I cannot say so: I do not remember it indeed, whether I ever heard of any or not: It was my Wish to have traced the Recollection of it, if I could have done it by any Means, in my own Mind.

Q. His Memory has failed him from the Time he was examined before our House: I wish him to consider the Effect of it?

A. I should hope, in Justice to me, your Lordships will request the Honourable Manager to point out what I said at that Time; and if it recals to my Recollection any Thing I have now forgot I will certainly acknowledge it to your Lordships; but I do not recollect it; and I should think myself highly to blame if I was intimidated to say any Thing which in my Conscience I do not recollect.

The Managers for the Commons desired the Examination upon that Subject might be read to the Witness.

The Witness was informed, that if he desired it, any Thing might be stated to him from it; but it could not be read in Evidence.

(Witness.) **A.** When I wished that my Evidence should be read, it was for your Lordships Use; I do not think any Thing that could be read would make me alter what I have said. I believe there will be found something like this in it, 'that I have a faint Recollection,' or, 'I cannot say but I have some faint Recollection of having heard of it;' though I might say such Things then, I must now say, from what I can trace of every Thing in my Mind to be the Truth, my Memory has often been confused from reading Papers, and I have been at a Loss to know what I have heard; but I now state, I do not think it any Reflection on myself, if they should find I said, 'I had some faint Recollection,' or, 'I am not sure whether I might or not.'

Q. Do you know where that Sum of Three Lacks, that was paid to Chinagee Boosla's Army, came from?

A. I do not; at least I did not know it at the Time.

Q. Whether you recommended to Mr. Hastings the Plan for the Abolition of the Provincial Councils, and for making a Committee of Revenue?

A. No; I think it was formed while I was in the Mahratta Country.

Q. Whether you have not been yourself a Member of the Provincial Council?

A. I was.

Q. Of how many?

A. I was in the Provincial Council of Moorshedabad, and in the Provincial Council of Patna; and I was afterwards in the Provincial Council of Calcutta.

Q. Whether, while you were a Member of those Councils, you did at any Time inform Mr. Hastings, that, from Divisions amongst themselves, or otherwise, they were incompetent to their Duty?

A. I do not recollect I did; though I have had many Conversations with Mr. Hastings, in the Course of which my Opinion might come out.

Q. Whether you communicated to any other Member of the Supreme Council this Opinion of the Incompetency of the Provincial Council?

A. I do not recollect mentioning that Opinion to any of the Supreme Council, unless from Inference. I recollect a Plan drawn out by a Member of the Supreme Council, Mr. Francis, and sent to me for my Sentiments upon it; I remember generally approving highly of the Whole, or the greatest Part of that Plan; and in the Course of that Plan there certainly were some Expressions disapproving of the Principles upon which the Provincial Councils were constituted; but I do not recollect whether I communicated to him that my Sentiments concurred in that Part.

Q. Did you ever mention it to any of your Co-members of the Provincial Council?

A. I do not know that I did; but I might have mentioned it.

Q. Whether you have heard who the Author of that Plan for abolishing the Provincial Committee of Revenue was?

A. I have understood Mr. Hastings was the Author of it: I had Conversations with him upon the Subject before it was formed.

Q. Do you, or do you not, think that some other Person formed that Plan, and that Mr. Hastings employed somebody to translate it for him?

A. I do not know of it.

Q. Did you ever hear of it?

A. I do not know I ever heard it; I think not: I may say I never heard it.

Q. Whether you know of any District where an English Collector was left?

A. Yes; there were several Districts where English Collectors were left.

Q. Whether the Farmers General could practise in such Countries great Oppressions without the Knowledge of such English Collectors?

A. I do not think they could.

Q. Whether the Provincial Councils were not abolished at a Time of considerable Distress of the Company's Affairs?

A. They were.

Q. Did the State of Warfare and Confederacies you have described exist at that Time?

A. I understood it did.

Q. Whether you have not heard of it?

The Counsel for the Defendant objected to the Question.

Q. Whether you do not know that Pensions were granted to the Members of the Provincial Council so dismissed?

A. If I remember right, it was a Regulation of the Government at the Time of the Alteration.

Q. If Disputes arose between the Farmer and Ryot in the Huzzoor Districts, what Means the Committee had of controuling the Conduct of the Dewan, provided he should judge unfairly in such Contests?

A. I do not exactly remember that it was the Duty of the Dewan to decide in settling their Disputes; but if he ever did interfere in a Thing of that Kind, upon a Complaint to the Chief, or the President of the Committee, or to the whole Body of the Committee, they certainly might have granted Redress.

Q. Do you really think that in such extensive Provinces, in Disputes between such Numbers of People, it was in the Power of the Committee at Calcutta to controul the Dewan?

A. I think it would be difficult for the Committee to interpose a sufficient Controul to guard against all the Abuses of the Dewan.

Q. If it was known that the Dewan had a Correspondence with the Governor General, in the Management of Money privately taken without the Concurrence of the Committee, would not that render such Controul more difficult?

A. I think it would: In the Instance of myself perhaps it would not; because it was pretty generally known that I enjoyed a Share of the Governor General's Favour sufficient to enable me to act with Competence in every Respect.

Q. Whether you was in the Secret of Mr. Hastings's private Transactions with Gunga Govind Sing relative to Money?

The Counsel for the Defendant objected to the Question.

Q. (*by a Lord.*) Do you know of any private Transactions between Mr. Hastings and Gunga Govind Sing?

A. I do not.

Q. (*by Managers.*) Do you not know of Mr. Hastings Proceedings privately with Kellaram?

A. When I said I did not know, I must observe that I do not recollect any:—When I was asked about it before, I could not recollect any Thing about Gunga Govind Sing being concerned in any of these Transactions; but, upon referring to some of my Papers, I rather think he was concerned, but I knew nothing of it at the Time; but from some Letters from my private Friends, I find something alluding to Gunga Govind Sing being concerned.

Q. Whether, from the Manners of the Natives which you know, the Circumstance of Gunga Govind Sing having a Connection more or less intimate with the Governor General, would not intimidate the People from making Complaints?

A. I rather think it would.

Q. What Salary or Appointments had Gunga Govind Sing for the Execution of his Office?

A. I do not remember: It is upon the Records.

Q. Whether, if any Person was to complain to the Committee of more Money being exacted from him than he was obliged to pay; whether his knowing that Mr. Hastings received privately Money from Gunga Govind Sing, would not be a Means of preventing him from making that specific Complaint?

The Counsel for the Defendant objected to the Question.

Q. (*by Counsel*) If any Cause of Complaint had existed against Gunga Govind Sing amongst the Natives, do you know of any Thing that would have prevented them from making that Complaint?

A. I do not know of any Thing that prevented them. I was asked whether it was not likely to have such Effect, and I admitted it might; but I do not know the Fact.

Q. Whether you are now of Opinion that the Abolition of the Provincial Councils, when it took Place, was a beneficial Measure?

A. I think it was.

Q. At

Q. At the Time you communicated to Mr. Hastings the Rumour you had heard, respecting a Present stated to have been received by Mr. Hastings from Kelloram, I desire to know the Whole Mr. Hastings said to you upon that Occasion?

A. I have already stated that I could not say the exact Words, but the Impression remained upon my Mind, that he desired me to give myself no Uneasiness upon it, for the Money had been paid in to Mr. Croftes, the Sub Treasurer's Hands, and he observed upon the Measure, that he thought it right to take the Money in that Way at the Time the Company was in so great Distress, and it might not have been procured in any other Way.

Q. Have there been less Complaints of Oppression in the Provinces since the Abolition of the Provincial Councils than before?

A. It is difficult to say whether less or more; I have heard of very great Oppressions in some particular Provinces; but I can only speak from Hearsay.

Q. As a Member of the Provincial Committee of Revenue, whether, from your Knowledge of the Affairs at that Board, there have been more Complaints made?

The Counsel for the Defendant objected to the Question.

The Witness was directed to withdraw.

Then PETER MOORE Esquire, was called in, and being sworn, was examined as follows:

Q. In what Situation was you in Bengal?

A. I was employed in the Revenue Department.

Q. In what Situation?

A. I was first employed as a Member of the Committee of Revenue at Calcutta, and afterwards as Member of the Council at Moorshedabad; and, lastly, Collector of several Districts at Edrackpore, Dinagepore, and Rungpore.

Q. At what Time in these last Districts?

A. In the Year 1784.

Q. Did you know Gunga Govind Sing?

A. Yes.

Q. In what Situation was he?

A. Gunga Govind Sing I first knew employed in the Khalsa for a short Period; afterwards he was appointed Naib Dewan to the Calcutta Committee.

Q. Was you a Member of the Provincial Council at Calcutta when he was Naib to the Dewan?

A. I was.

Q. What Character had he when he was in that Situation?

A. A very bad one.

Q. Had you Occasion to know, from your Situation, what his general Character was?

A. I certainly had.

Q. What Character had he when he was appointed Dewan to the new Committee?

A. A very bad one.

Q. In what Respect?

A. He was considered as a general Oppressor of every Native he had to deal with.

Q. Was that the general Character given him by Europeans, or by the Natives?

A. He was considered as such by all Ranks of People; by Europeans he was detested, and by the Natives he was dreaded.

Q. Whether his Conduct, during the Time you was his Superior in the Calcutta Committee, was such as met with the Approbation of that Committee?

A. It was not.

Q. In what Respect?

A. He was appointed to be an obedient and useful Servant to us; and his Conduct was in every Thing the Reverse, as the Proceedings of the Committee will at large shew.

Q. Do you know the Situation into which he was put as Dewan of the New Committee?

A. I do.

Q. From your Knowledge of that Situation, had he it in his Power to be generally oppressive, or not?

A. He certainly had.

Q. Had

Q. Had he it in his Power to be corrupt, without that Corruption being easily detected?

A. I do not conceive he had.

Q. Do you know, or have you heard any Thing with respect to any Sum of Money received by Mr. Hastings?

The Counsel for the Defendant objected to the Question.

Q. Whether you heard of any Reports or Rumours of any Sum of Money paid to Mr. Hastings prior to 1782?

A. I did.

Q. What were those Rumours?

The Counsel for the Defendant objected to the Question.

Q. What were the Rumours you heard of Sums of Money received before 1782?

A. When the Provincial Council was abolished I was at Rungpore; I did not return to Calcutta till October 1781, and very shortly after I called on Mr. Wheeler——

Q. What Sums of Money did you hear, or Rumours of Sums of Money, received before 1782?

A. Of Four Lacks of Rupees received from Kellaram in October 1781.

Q. Were they, or were they not, general Rumours?—Do you know what a general Rumour means?

A. Yes.

Q. Were those so?

A. They were.

Q. Were they Rumours, that from the Situation in which you heard them, were likely to come to the Ears of Mr. Hastings?

A. I should suppose so.

Q. Why do you suppose so?

A. Because it was the Subject of much Conversation both at publick and private Tables; among the Europeans in particular.

Q. Whether it was not such a Rumour as he was likely to have official Knowledge of?—What was the Rumour?

Then the following Question, and the Answer of the Witnesses, were read, viz.

‘ Q. What Sums of Money did you hear, or Rumours of Sums of Money, received before 1782?

‘ A. Of Four Lacks of Rupees, received from Kellaram in October 1781.’

Then the Witness was asked,

Q. (*by Managers.*) Under what Circumstances did you hear that Rumour?

The Counsel for the Defendant objected to the Question.

Q. (*by a Lord.*) Is your general Rumour more extensive than you have described or not?—What is it you say, was it a general Rumour about receiving Sums of Money?

A. The general Rumour was, that Kellaram had given Four Lacks of Rupees for the Farm of Bahar?

Q. As far as that it was general?

A. Yes.

Q. Did you hear of any general Rumour of any other Circumstance respecting that Transaction?

The Counsel for the Defendant objected to the Question.

A. The general Rumour, the general Conversation, the general History, the general Story, I really do not know how to express myself; but the Rumour was, that 4 Lacks of Rupees had been taken for the Farm of Bahar.

Q. That was the Extent of what you describe as the general Rumour among the People, abstractedly of particular Conversation?

A. Abstractedly of particular Conversation.

Q. Did you ever hear any other general Rumour respecting any other Sums of Money received?

A. I have since 1782, but not before.

Q. Did you ever hear any Rumour in respect to a Sum of Money taken from one Nobkissen, prior to the Year 1784?

A. I have heard of a Payment made by Nobkissen, but I did not hear of it till the latter End of the Year 1784.

Q. In your Situation as Member of the Provincial Council at Calcutta and Murshedabad, you must be competent to answer, whether the Provincial Council were competent to the good Conduct of their Dewan?

A. They certainly were.

Q. Whether any Oppression could have been, to any considerable Extent, carried on without its coming to the Knowledge of the Provincial Council?

A. Certainly not.

Q. When was you appointed Collector at Edrack, Dinagepore, and Rungpore?

A. In April 1784.

Q. Whether, in that Situation, there was equal Power of protecting the Natives, and equal Means of discovering Oppression, as during the Existence of the Provincial Council?

A. There certainly was.

Q. In those Districts, where there was no Collector, were there equal Means of detecting and preventing Oppression under the new Government as under the Provincial Council?

A. I conceive not; the good Government of the Country, the Realization of the publick Revenues, the Security of Individuals Property, depends upon a vigilant active local Controul. This is an Opinion I have given several Years ago, founded upon my own Experience.

Q. Whether such a Controul, as you have stated, did not exist under the Provincial Council?

A. There was; but not so particular as I think it ought to have been.

Q. Whether that Degree of Controul that existed under the Provincial Council was encreased or diminished by the Appointment of the new Committee?

A. I believe it was nearly totally done away.

Q. Give your Reasons why you think it was nearly totally done away?

A. The Payment of the publick Revenues was in general brought down to Calcutta: Distant Provinces are without a local Controul: It was not possible for the Provincial Council, situated as they were, to exercise a local Controul over distant Provinces.

Q. You mean to say the Committee of Revenue, not the Provincial Council?

A. Yes; the Committee of Revenue.

Q. Whether if it were known in the Provinces, that the Dewan of the Committee was in a private Connection with the Governor General, it would have been in the Power of the Committee to have checked that Dewan so effectually?

A. I conceive not.

Q. From what you know of the Manners and Customs of that Part of the World, whether the Knowledge of the Existence of such a Connection would not very much diminish the Controul and Authority of that Committee?

A. I believe it would.

Q. Whether it was, or was not, the general Custom to take collateral Security from the Farmers who took Farms of the Provincial Councils?

A. Invariably the standing Rule.

Q. Do you know whether any Security was taken from Kellaram or Cullian Sing?

A. I do not know.

Q. When was it you heard any Thing of a Sum of Money privately given by Nobkissen to Mr. Hastings?

A. The latter End of 1784, or the Beginning of 1785.

Q. Had you any Discourse with Nobkissen himself upon that Subject?

The Counsel for the Defendant objected to the Question.

Q. Have you had or received any Letters from Nobkissen upon that Subject?

The Counsel for the Defendant objected to the Question.

Q. Whether the Office of Provincial Dewan was not totally abolished in the Year 1781? Do you know what the Office of Provincial Dewan was?

A. Yes. When the Councils were abolished, I believe their Dewans were recalled with them, except in Cases where a Chief was left.

Q. Was it not the Duty of the Dewan to be a Check upon the Farmer in Favour of the Ryots?
A. Most certainly that was a Part of his Duty, under the Direction of the Council at large, or under the Direction of the acting Chief.

Q. If the Office of Dewan and Farmer were joined in the same Person, would any Check exist?
A. Not in the Dewan certainly.

Q. What was the Duty of the Naib Canongoe?
A. The general Duty of the Canongoes and their Naibs was to keep the Records, to inspect them accurately, to check the Farmers Accounts, and to check all public Accounts.

Q. Whether the Union of the Offices did not tend to destroy that Effect?
A. It certainly did, in the same Manner as the Union of the Two Powers of the Farmer and Dewan.

Q. What was the general Effect of appointing a single Dewan to do the Business of the whole Provinces under the Authority of the Committee?

A. Too great a Power and Trust in the Hands of him, certainly.

Q. (*Cross examined.*) You said it was a standing Rule to receive collateral Securities: Whether you were acquainted with letting Lands in Bahar?

A. When I speak of a standing Rule, I mean, it was a standing Rule for our Guidance, given by the Governor General.

Q. In what Place?

A. When I was employed, at Murshadabad.

Q. Was this invariably observed?

A. I have always understood it to be a general Rule; if there has been any Exception, I have not been acquainted with it.

Q. Do you know any Thing of the Manner of letting of Lands in the Province of Bahar; or, in other Words, whether you mean to swear, that it was usual, in all Cases of letting Lands in Bahar, to take Security from the Persons to whom they were let?

A. I never have been employed in the Province of Bahar; but if I had, I certainly should not have let a Farm without a collateral Security.

Q. You never was employed there, and you do not know the Manner of letting Lands there?

A. No.

Q. Have you any Knowledge of the letting of Lands any where, except in the Places where you yourself was, in respect to Security?

A. It is impossible for me to speak to Acts where I have not been present myself: I have been Twenty Years in the Service; I have been employed in nothing but the Revenue Line, and I look upon myself competent to that Duty.

Q. You have therefore had it in Injunction to take Collateral Security?

A. It was a standing Rule.

Q. Do you by that mean to convey, that it was a standing Order, or that, in point of Fact, the Order had been observed?

A. I meant, it was a general standing Rule throughout the Provinces for any Thing I know to the contrary; and if I had been in any Situation to let Lands, I should have thought myself deficient in Duty if I had not observed it: I never knew an Instance to the contrary, so far as it depended upon me.

Q. You mean to confine your Knowledge of the Fact to the Instances in which you was employed?

A. Yes.

Q. In the Places where you was employed, was a Security constantly taken?

A. To the best of my Recollection it was.

Q. You said you were a Member of the Provincial Council at Calcutta,—Whether you was, or was not, dismissed from that Office?

A. It does not deserve such an Epithet as dismissed, nor turned out; I look upon that to be pointed at my Character and Conduct, and therefore I shall beg Leave to be the more particular in answering it. I have said, in answer to a former Question, that Gunga Govind Sing was appointed to be an obedient and useful Servant to us, and that he was every Thing the contrary: It was in a Struggle to make him do his Duty that we fell under a Charge of Neglect of Duty and Disobedience of Orders; in our Defence, we shewed that we had conformed to every Order, and that we had paid implicit Obedience to the Orders; notwithstanding, as they were pleased to express it, we were divested of our Trust; not that I believe (and being upon my Oath now I say it) that we were guilty or criminal, or that we deserved it; but that Question having been pointed, as I conceive,

conceive, at me and my Conduct, I do not hesitate saying, which I should have been sorry to have said in any other Situation, that we were dismissed to leave Gungo Govind Sing at the Range of his own Conduct.

Q. When, and by whom, were you divested of your Trust ?

A. In the Month of October 1778 :—The Council General was composed of Four Members, Mr. Hastings, Mr. Barwell, Mr. Francis, and Mr. Wheeler : I have never, even to this Hour, seen what their Debates at the public Board on that Occasion were ; but, I believe I am authorised to say, it was the Act of Mr. Hastings and Mr. Barwell only.

Q. Then you consider your being divested of your Trust as the Act of Mr. Hastings and Mr. Barwell only ?

A. Yes.

Q. By whom are you authorised to say, it is to be considered as the Act of Mr. Hastings and Mr. Barwell only ?

A. I have gathered as much from Conversation with Mr. Francis and Mr. Wheeler.

Q. Was the Conversation of Mr. Francis with respect to what passed in Council ?

A. Mr. Francis's Words to me, as well as I can recollect, were nearly these ; “ I endeavoured to put the Question upon each of you separately, thinking it extraordinary, that if Neglect had been proved, that every individual Member of the Council should suffer equal Punishment, as the President was vested with executive Authority ; if there was Neglect, it rested with him and the Dewan : The Members of that Council at large had their Duty merely confined to meeting when summoned, and giving an Opinion when asked, and giving a general View of the whole Trust committed to them.” It is a great many Years since this has happened, therefore if this is not very accurate, I trust Mr. Francis, if he hears me, will excuse me.

Q. When was this Conversation held between you and Mr. Francis ?

A. In the Year 1778, much about the Time of its happening, I believe within a few Days after : When these Proceedings were had, I was very ill, and at a Distance ; and therefore it was not possible for me to commune with Mr. Francis while the Matter was pending.

Q. (by Managers.) At what Time was you appointed to the Council at Murshadabad ?

A. In April 1780.

Q. Who composed the Supreme Council in the Month of April 1780 ?

A. Mr. Hastings, Mr. Francis, and Mr. Wheeler.

Q. Who appointed you to the Situation of Collector of Dinagapore, Rungpore, and Edrackpore ?

A. I was appointed by the Council ; consisting then of Mr. Wheeler, Mr. M^rPherson, and Mr. Stables.

Q. Whether the Office of Member of the Provincial Council at Murshadabad, and Collector of the Three Provinces, Dinagapore, Rungpore, and Edrackpore, you have mentioned, was not an Office of as great Trust, as that of being Member of the Provincial Council at Calcutta ?

A. Much greater.

Q. Whether the Proceedings for divesting you of the Office of Member of the Provincial Council at Calcutta, did or did not take place at the Revenue Board ?

A. It did.

Q. Whether, when you was appointed to the Council at Moorshedabad, you heard Mr. Hastings made any Objections to you, upon Account of your Character ?

The Counsel for the Defendant objected to the Question.

A. I come here to answer upon Oath such Questions as your Lordships think proper to put to me ; I did not know I was called here to be put upon my own Defence.

The House informed the Witness, he might decline answering the Question, if he thought fit.

The Witness said, He should be exceedingly desirous to answer that or any other Question.

Q. (by Managers.) Whether, after your Dismission from the Calcutta Committee, and the subsequent Nomination of you to the Provincial Council at Murshadabad, you had heard that Mr. Hastings made any Objection to you upon Account of your former Character or Conduct ?

The Counsel for the Defendant objected to the Question.

Q. Do you know whether Mr. Hastings made any, and what Objection to your being nominated to the Provincial Council at Murshadabad, after you were dismissed from the Calcutta Committee ?

A. He certainly made no Objection ; on the contrary, I have been given to understand, it was even propoted by Mr. Hastings himself as some Retribution to me.

Q. Have

Q. Have you any Knowledge of your own upon that Subject?

A. I believe Mr. Hastings made no Objection; I never heard that he did.

Q. (*by Counsel.*) Was you present at the Time of the Discussion?

A. When I departed for Murshadabad Mr. Hastings wished me all Manner of Success; that does not imply he objected; if he had objected, I certainly would not have gone.

Q. (*by Managers.*) Had you any other Conversation with Mr. Hastings after you were so named to the Council at Murshadabad about any Subject?

The Counsel for the Defendant objected to the Question.

Q. Whether you had any Conversation with Mr. Hastings besides that which you have now mentioned?

A. Not upon official Duty, till after Mr. Hastings's Return to Calcutta, the Beginning of 1782.

Q. Had you then?

A. I had; I cannot exactly tell at what Period.

Q. Did Mr. Hastings at that Time express to you any Sense of your having been deficient in your official Duty?

The Counsel for the Defendant objected to the Question.

Q. (*by a Lord.*) Did Mr. Hastings hold any Conversation with you upon the Subject of your official Duty?

A. None at all.

Q. (*by Managers.*) Upon the Subject of your Dismission?

A. None at all.

It being suggested that the Witness understood the former Question to have related to a Conversation about his Dismission, and not about his official Duty, the said Question, and the Answer of the Witness, were read by the Clerk, viz.

Q. Did Mr. Hastings hold any Conversation with you on the Subject of your official Duty?

A. None at all.

The Witness said,

I do not recollect hearing that Question before.

Q. Had you any Conversation about your official Duty?

A. The Question brings my Recollection to a particular Thing which I did not recollect till that Question was put. At the Conclusion of the First Year under this new established Committee, I believe general Dissatisfaction and bad Opinions began to prevail of its Efficacy.

Q. Whether you had any Conversation upon the Subject of your official Duty?

A. Not upon my official Duty; but upon Affairs at large.

Q. What Conversation had you with Mr. Hastings upon the Subject of this Committee of Revenue?

A. No particular Conversation with him upon the Subject of the Committee; I gave him a short Outline of a Plan, in Writing——

Q. Upon that Plan you had some Conversation?

A. Upon the general Subject of which Mr. Hastings was pleased to pay me some Compliments, and said he would read it over before he slept that Night.

Q. Whether Mr. Hastings did at that Time express an Opinion upon that Committee, or the Provincial Council?

The Question was objected to by the Counsel for the Defendant.

Q. Had you any Conversation with Mr. Hastings upon the Subject of that Committee?

A. No.

Q. Upon the Provincial Council?

A. No; I had no Conversation with Mr. Hastings upon any One of those Points; the Whole of the Matter between Mr. Hastings and myself was contained in that written Paper which I gave him.

Q. (*by a Lord.*) Had you any Pension assigned you, or Sum of Money allowed you by Government, subsequent to your being divested of your Trust?

A. Not any.

Then the House adjourned to the Chamber of Parliament.

Die Martis, 18^o Maii 1790.

THE Lords being in their Places, the House resumed, the usual Proclamations made, and the Defendant appearing at the Bar, the Lord Chancellor informed the Managers for the Commons they might proceed to make good their Charge.

The Managers for the Commons stated, that an Attempt having been made, in the course of the last Day's Proceedings, to throw an Imputation upon the Character of Mr. Moore, as having been dismissed from his Office, they would proceed to shew that he was raised to higher Situations by Mr. Hastings himself at a subsequent Period.

Mr. HUDSON was called in, and produced Book 261, intituled, " Bengal Revenue Council, 21st March to 23d May, 1780."

Read, the following Extract of a Consultation of the 21st March 1780, beginning at Page 44 of the same Book.

" Fort William, the 21st March 1780.

" At a Council; Present,
The Honourable Warren Hastings Esquire, Governor General, President;
Philip Francis,
and
Edward Wheler, } Esquires.

" The Governor General recommends, that Mess^{rs} Peter Moore, William Wroughton, and Edward Eyre Burges, may be appointed to the vacant Seats in the Provincial Council of Moorshedabad. That Mr. Dawson may be removed from the Council of Burdwan to that of Dinagepore, and Mr. Pye from Dinagepore to supply his Place at Burdwan. Appointments recommended by the Governor General.

" Approved, and agreed to the Governor General's Recommendation, and that the following Letters be in consequence written to the Provincial Councils of Moorshedabad, Dinagepore, and Burdwan.

" To Mr. William Hosea, Chief, &c. of the Provincial Council at Moorshedabad.

L. S. No. 22.

" Gentlemen,

" We have this Day thought proper to appoint Mess^{rs} Peter Moore, William Wroughton, and Edward Eyre Burges, to be Members of your Board. Provincial Councils addressed.

" We are, &c.

Fort William,
21st March 1780.

Signed at the End of the Consultation,
" Warren Hastings,
P. Francis,
Edw^d Wheler."

Read, from Book 245 already delivered in, the following Extract of a Consultation of the 7th April 1784, beginning at Page 617 of the same Book.

" Fort William, the 7th April 1784.

" At a Council; Present,
Edward Wheler,
John Macpherson,
and
John Stables, } Esquires.

The Governor General absent on a Visit to the Vizier.

" Mr. Wheler reminds the Board, that the Appointment of a proper Person to take Charge of the Collections and Adawlut at Rungpore was referred from the last Meeting of Yesterday to this Day, and as he has no Person particularly to recommend for that Appointment, he desires the Members of the Board would make Choice of one. Mr. Wheler's Minute regarding the Appointment of a Person to Rungpore.

Mr. Macpher-
son's.

" Mr. Macpherfon.—I move that the List of Company's Servants be taken, and that an old Servant of acknowledged Ability, and known to be conversant in the Languages of the Country and Revenue Matters, who may at present be out of Employ, be appointed to this important Trust; a Trust, which the Honour of this Government and the Interest of Humanity call upon us unitedly and severally to see properly filled, and faithfully executed. The Charge of this Station, I mean the Collectorship of Rungpore and Adawlut, must, in the present Situation of the Inhabitants of that Country, be a Trust of Difficulty, and the Board should therefore, in my Opinion, take a future Occasion to consider the Services of any Servant who may be appointed to it, if he discharges his Duty faithfully; for the present State of the Revenues of that District must occasion to him many Embarrassments, and cannot be attended with the same Credit as if the Country was in Prosperity. If the Board are of this Opinion, they will promise a future Compensation as an Encouragement to whoever may be now appointed to the Charge of Rungpore, and who shall execute the Duties of that Station to the Satisfaction of the Natives, and with a Fidelity to merit the Approbation of Government. I have no particular Person in view for this Nomination.

List of Com-
pany's Ser-
vants read,
and Appoint-
ment of Mr.
Moore to
Rungpore.

" The List of Company's Servants being then called for, and read, and Mr. Moore appearing to come under the Description mentioned in the foregoing Minute, the Board agree to appoint him to the proposed Charge.

Committee of
Revenue ad-
vised.

" Agreed, that the Committee of Revenue be advised thereof as follows:

L. S. No. 41.

" To Mr. John Shore, acting President, &c. Members of the Committee of Revenue.

" Gentlemen,

" We have this Day appointed Mr. Peter Moore to the Charge of the Collections of Rungpore, as also Judge of the Dewanny Adawlut of that Station, and you will accordingly furnish him with the necessary Instructions for the Duties of the former Office.

" We are, &c.

" Fort William,
the 7th April 1784.

Signed at the End,

" John Macpherfon,
John Stables."

Read, from the same Book, the following Extract of a Consultation of the 8th of April 1784, beginning at Page 717 of the same Book.

" Fort William, the 8th April 1784.

Rev. Dept.
Thursday.

" At a Council; Present,
Edward Wheler,
John Macpherfon, } Esquires.
and
John Stables,

The Governor General absent on a Visit to the Vizier.

Mr. Moore.

L. R. No. 100.

" Read, the following Letter from Mr. Moore.

" To the Honourable the Governor General, &c. Council of Revenue at Fort William.

" Honourable Sir, and Sirs,

" I have had the Honour to receive a Letter from your Secretary, informing me that you had been pleased to appoint me to the Charge of the Collections of Rungpore, and Judge of the Dewanny Adawlut.

" With every Disposition to conform to your Orders, and ever most willing to regulate myself by the Mandates of Government, suffer me to hope your Re-consideration of the Appointment in Question. Mr. Goodlad, whose Place I am to fill, was originally Collector of Dinagepore, Rungpore, and Edrackpore. On the Removal of Deby Sing from Dinagepore the Settlement was made with the Amlah, or Servants of the present Miner Zemindar, who have since obtained Leave to pay their Rents at the Presidency. The Object of a distant Country paying its Rents at the Presidency is nothing more or less than that the Managers may be let loose to their Conduct, and local Controul be removed. This is literally its Meaning.

" Hence I am induced to hope, and flatter myself the Honourable Board will not think me unreasonable in requesting, that they will be pleased to reconsider my Rank and Situation in the Service, and put me on an Equality with Mr. Goodlad, many Years my Junior, by placing me in the Station which he originally filled, viz. in Charge of the Collections of Dinagepore, Rungpore, and Edrackpore.

" I am, &c.

" Fort William,
8th April 1784.

(Signed) P. Moore."

" The

" The Board, in consequence of the above Representation, agree, that in Addition to the Collections of Rungpore, Mr. Moore be invested with the Power of receiving from the Zemindars the Revenues of Dinagepore, and Edrackpore, to be remitted by him to the Presidency. Resolution thereupon.

" Agreed, that the following Letter be in consequence written to the Committee of Revenue. Committee Revenue advised.

" To Mr. John Shore, acting President, &c. Committee of Revenue. L. S. No. 43.

" Gentlemen,

" We have thought proper, in Addition to the Charge of the Collections of Rungpore, to invest Mr. Moore with the Power of receiving from the Zemindars the Revenues of Dinagepore, and Edrackpore, to be remitted by him to the Presidency.

" We are, &c.

" Fort William,
8th April 1784.

Signed at the End,

" John Macpherson,
John Stables."

Q. (*by Counsel*). Whether the Consultations of the 15th of September, 13th of October, and the 16th of October, 1778, stating the Charges against Mr. Moore, are in Existence?

A. The Books mentioned are here in Court.

Then the Witnesses was directed to withdraw.

The Managers for the Commons desired to know, whether the Defendant, agreeable to the Notice he had received, was ready to produce Mr. Moore's Plan.

The Counsel for the Defendant stated, that the Managers for the Commons might give parole, or other Evidence, of the Contents of it.

Whereupon PETER MOORE Esquire was again called in, and examined as follows:

Q. Whether you have any Copy of the Paper which you delivered in to Mr. Hastings, relative to the better Collection of the Revenue?

A. I have not a Copy, but I have preserved the Principles of it, which I have extracted upon Paper, if your Lordships think fit to receive it.

The Counsel for the Defendant objected to the Evidence.

Q. Whether your Memory serves you as to the principal Heads of the Plan you delivered to Mr. Hastings?

A. It does.

Q. Repeat them to the Court.

A. The Whole contained, what I conceived to be, the best Outlines for the Management of the Revenue of that Country:—First, to establish an active local Controul throughout the Country; Secondly, to remove all Dewans, the native Officers employed between the European Representatives of the Company and the People, as Persons capable of much Mischief; the Establishment of a fixed Zemindary System, the total Exclusion of farming, and the Employment of the Company's Servants as Collectors or Superintendants throughout the whole Country, as Persons to be depended upon, and the only Persons that could be depended upon by any Government whatever; those I remember were the Outlines.

Q. Whether, on your Return from Rungpore, any Complaints were made against you for Mal-administration?

A. None. There was One Representation which I was called upon to explain, and as soon as it was known it explained itself.

Q. Whether or no there was any Balance left at the End of the Collection, and what?

A. No Balance at all.

Q. Whether, in realizing the Collections of Rungpore, you found it necessary to make use of any Torture?

A. No, I did not, nor any Punishment whatever.

Q. Whether you think it necessary to use any Torture for the Collection of a fair Revenue?

The Counsel for the Defendant objected to the Question.

Q. Do you wish to explain any Thing relative to your Evidence?

A. I was thrown into a very awkward Predicament at my last Examination, and consequently was not prepared to answer so fully to one Point, in particular, as I wished to have done: It was a Thing that happened a great many Years ago, and whatever may be the Construction to the contrary,

trary, though it was a Fact that I could not forget, it certainly was a Thing that I had long and many Years ago totally forgiven, I mean, what was stated in the Words "dismissed from the Calcutta Committee." I stated in my Answer, that while we were struggling to make Gunga Govind Sing, our Dewan, do his Duty, we were furnished with a Charge of Disobedience of Orders and Neglect of Duty;—with your Lordships Permission, I would make this little Amendment in the Answer which I then gave, that it should run thus;—we were furnished with a Charge of Disobedience of Orders, and Neglect of Duty, founded on an Act of the Committee, who were in the Discharge of their Duty, and acting in Obedience to the standing Orders of the Governor General and Council.

Q. Is there any Fact you suppose not to be represented in the Manner you wish it to be?

A. In the wording it?

Q. Not the wording it, but the Fact?

A. I think it exceedingly material to my Character: In discharge of our Duty, we had released 15 Persons illegally in Prison—I have not seen the Evidence, I have only taken this from my Memory.

The Witness was directed to withdraw.

Then WILLIAM HARWOOD Esquire was called in, and being sworn, was examined as follows.

Q. How long have you served the Company in India?

A. I believe about 17 Years.

Q. In what Situation did you last serve the Company in the Collection of the Revenue? Were you in the Collection of the Revenue?

A. Yes.

Q. In what Situation?

A. Chief of the Province of Dinagepore.

Q. Do you mean of the Provincial Council?

A. As Chief of the Provincial Council at Dinagepore.

Q. Whether you found any Difficulty in executing your Duty in the Collection, from any Defect in the Constitution of the Provincial Council, of which you was Chief?

A. I do not remember I did.

Q. Did any other of the Members of the Provincial Council represent to you that they found themselves under such a Difficulty—Do you know of any Difficulty there was in the Provincial Council in executing their Duty?

A. I do not recollect any.

Q. Or any Representations made by them to you as their Chief?

A. None at all.

Q. Did Mr. Hastings make any Representation to you respecting the Councils?

The Counsel for the Defendant desired the Witness might be first asked—Whether all the Communications between Mr. Hastings and the Witness were not in Writing?

The Witness was asked,

Q. Whether he had any Communication with Mr. Hastings on that Subject, except in Writing?

A. No.

Q. Did you receive any Communication from Mr. Hastings upon this Subject, either in Writing, or by Word of Mouth?

A. None at all.

Q. In no way?

A. No.

Q. Did you ever see Mr. Hastings after you was appointed a Member of that Provincial Council?

A. Several Times.

Q. Did he at any of those Times ask your Opinion respecting the Competency or Incompetency of the Provincial Council in the Execution of their Trust?

A. He did not.

Q. Whether

Q. Whether or no you found it necessary, for the Collections of the Revenue, to employ any Tortures ?

The Counsel for the Defendant objected to the Question.

Then the following Question put to Peter Moore Esquire, and his Answer thereto, was read by the Clerk :

Q. " Whether, in the Realization of the Collections of Rungpore, you found it necessary to make use of any Tortures ?

A. " No, certainly not ; nor any Punishment whatever."

Then the Managers for the Commons desired that the following Question might be put to the Witness :

Q. Whether, in the Realization of the Revenue in the Provinces of Rungpore, Dinagepore, or Purnea, you found it necessary to make use of any Torture ?

The Counsel for the Defendant objected to the Question.

Q. (by a Lord.) In what Manner did the Provincial Council proceed in the Collection of the Revenues ?

A. We proceeded in the same Manner that all other Provincial Councils proceeded, I believe, making use of no Severity whatever.

Q. (by Managers.) Whether you think the annual System of farming to the highest Bidder has or has not a Tendency to introduce Cruelty in the Collection of the Revenue ?

The Counsel for the Defendant objected to the Question.

Q. (by a Lord.) Has the letting of Lands by the Year to Farmers a Tendency to produce Rigour and Cruelty in the Collection of the Revenues ?

A. It certainly may have such a Tendency.

Q. (by Managers.) Whether you think, from your Knowledge of the Country and the State of the Revenues, that the Committee of Gentlemen sitting at Calcutta would be enabled, upon a Perusal of the Rates and Remissions registered in their Office, to make any equitable Plan for the Rise of some Farms and the Fall of others, according to their several Divisions ?

A. Certainly not so able as a Council residing upon the Spot.

Q. Whether or no the Gentlemen at Calcutta had a sufficient Means upon a Huffoor Collection to controul the Oppressions of Farmers in the distant Provinces ?

A. I imagine not.

Q. Whether, from your Knowledge of the Country and Skill in Collection of Revenue, a Farmer in the Country could practise great and notorious Oppressions without their coming to the Knowledge of the Members of the Provincial Council resident in the Province ?

A. I should apprehend not.

Q. Whether the Office of Dewan to the Provincial Council, or to the Committee of Revenue, is or is not an Object of great Importance ?

A. Certainly it is.

Q. Whether the Provincial Council had a legal Power to coerce the Dewan, and prevent his oppressing the Country ?

A. They had.

Q. Whether, if the Dewan was a Person known to be in intimate and confidential Connection with the Governor General, and to be employed by him in taking Money privately in the Provinces, that Dewan would be as obedient to the Council as a Person in other Circumstances ?

The Counsel for the Defendant objected to the Question.

Q. (by a Lord.) Whether, according to your Knowledge of the Dispositions and Manners of the People, the Relation mentioned, between the Dewan and Governor General, would not give him more Authority to oppress ?

A. If the Dewan found himself protected by the Governor General, he certainly would feel himself much more independant than the Council.

Q. Whether, from your Knowledge of the Country, the Disposition of the Natives, of the Revenue, and of the State of the Company's Service, you think that a Committee of Revenue sitting at Calcutta would have the same Means of preventing the Dewan from Oppressions in remote Provinces, as the Council resident on the Spot ?

A. They could not have the same Means.

Q. Whether you have heard of a Person in Bengal called Gunga Govind Sing ?

A. I have heard of such a Person.

Q. Whether you know any Thing of his Character, of the general Character he bore,—of his Reputation ?

A. In his publick Employment I have heard he was very arbitrary and oppressive, and that that was his general Character.

(Cross examined.)

Q. Whether Mr. Francis communicated to you a Minute in the Year 1776, respecting the Mode of administering the Revenue by the Provincial Council ?

A. I have seen several Minutes of Mr. Francis on that Subject; but I do not immediately know the one alluded to.

Q. I will recal it to your Recollection by these Words: “ I am of Opinion, that the Institution was fundamentally wrong ?”

A. No; I do not remember any such Thing.

Q. Do you remember any Minute containing Disapprobation of the System of the Provincial Councils communicated to you by Mr. Francis ?

A. No; I do not remember any Communication of that Kind.

Q. There was none such ?

A. I do not recollect it.

Q. Nor of the Communication of any Minutes by Mr. Francis condemning the Institution of the Provincial Council ?

A. No; I do not remember any.

Q. (by Managers.) Whether you was at Dinagore between August 1779 and the Middle of the Year 1780, at any Time ?

A. I was not in the Province of Dinagore, but resident in the neighbouring Province.

Q. Had you not an official Communication with that Province? Had you the Charge of Dinagore ?

A. Certainly we had.

Q. Whether, during that Time, you had heard any Thing of a Payment of a Sum of Money for the Province of Dinagore, by Gunga Govind Sing, to Mr. Hastings ?

A. I never heard of such a Circumstance, nor ever had a Suspicion of it.

Q. Whether or no you know that Gunga Govind Sing had, at that Period of Time, any Thing whatever to do with the Province of Dinagore ?

A. No, I did not know that he had.

Q. Did you hear of it ?

The Counsel for the Defendant objected to the Question.

Q. Whether you did, or did not, hear of it ?

The Counsel for the Defendant objected to the Question.

Q. I want to know it as a Fact whether you did or did not hear it ?

The Counsel for the Defendant objected to the Question.

The Witness was directed to withdraw.

The Managers for the Commons stated, they would next read a Paragraph of a Minute of Mr. Hastings of the 21st of February 1785, in order to prove the Charge of the Revenues.

The Counsel for the Defendant desired to know, whether the Managers for the Commons did not mean to read the Paper alluded to, as introductory to the whole History of the Enormities committed by Deby Sing.

The Managers for the Commons stated, they did not mean to produce it for the Purpose suggested by the Counsel for the Defendant, but in order to shew that it was the Opinion of Mr. Hastings himself, that great Enormities might be committed under the new Committee of Revenue, and that they might be concealed from any one Person under the British Government.

Read,

Read, from Book 228, already delivered in, the following Extract of a Consultation of the 21st of January 1785, beginning at Page 157 of the same Book.

" Fort William, the 21st January 1785.

" At a Council, Present,
The Honourable Warren Hastings Esquire, Governor General, President ;
John Macpherson, }
and } Esquires.
John Stables, }

Rev. Dept.
Friday.

" Gov. Gen.—I entirely acquit Mr. Goodlad of all the Charges; he has disproved them. It was the Duty of the Accuser to prove them. Whatever Crimes may be established against Rajah Davy Sing, it does not follow that Mr. Goodlad was responsible for them; and I so well know the Character and Abilities of Rajah Davy Sing, that I can easily conceive that it was in his Power both to commit the Enormities which are laid to his Charge, and to conceal the Grounds of them from Mr. Goodlad, who had no Authority but that * receiving the Accounts and Rents of the District from Rajah Davy Sing, and occasionally to be the Channel of Communication between him and the Committee (a). Governor General's Minute on Mr. Goodlad's Defence. * Sic in Orig.

Signed at the End of the Consultation,

" Warren Hastings,
John Macpherson,
John Stables."

The Managers for the Commons stated, they would next proceed to shew what those Enormities were which might be concealed from the English Gentlemen residing there, and which might be committed without their knowing any Thing of the Matter.

The Counsel for the Defendant objected to the Admission of the Evidence proposed.

The Managers were heard in Answer to the Objection.

Then the House adjourned to the Chamber of Parliament.

The Lords being in their Places, the House resumed, the usual Proclamations made, and the Defendant appearing at the Bar, the Lord Chancellor said;

" Gentlemen, Managers for the Commons, and Gentlemen, of Counsel for the Defendant, the Lords have resolved, That it is not competent for the Managers for the Commons to give Evidence of the Enormities actually committed by Deby Sing, the same not being charged in the Impeachment.—Gentlemen, Managers for the Commons, you may proceed to make good your Charge."

To prove that the Sum of 58,000 Rupees was not, as stated and supposed by Mr. Larkins, to be Part of a Dinagapore Peshcush,

Read, from Book 250, already delivered in, the following Extract of a Committee of Revenue, of the 28th April 1784, beginning at Page 789 of the same Book.

" Calcutta, the 28th April 1781.

At a Committee of Revenue; Present,
Mr. David Anderson, President;
Messrs. { Samuel Charters,
Charles Croftes.

" The Preparer of Reports to the Revenue Departments submits to the Committee the accompanying Translation of the Zemindar of Dinagapore's Claims for the Remissions, in Conformity to their Order of the 15th of this Month, including also an Account of his Payments for the Current Year; in Addition to which, his Vakeel has delivered in a Paut for 50,000 Rupees of the Balance still remaining to be realized, which reduces the Demand on him for the present Year to 60,048 : 2 : 18.

" As to his first Claim for a Remissions *, or rather for Leave to have the Payment of the Canon-goes Reliſom, (which has lately been discharged through the Provincial Council), he states it at 8,015 : 7 : 10 per Annum, whereas it amounts only to 7,076 : 1 : 17, from which 3,765 Rupees having been already discharged at Purnea, there remains to be paid for the present Year the other Half, or Residue, of 3,576 : 1 : 17 (b). * Sic in Orig.

(a) Vide Appendix, N° CLX.

(b) Vide Appendix, N° CLXI.

Read, a further Extract of the same Committee of Revenue, beginning at Page 794 of the same Book, as follows :

“ Statement concerning the Revenue of the Pergunnah of Dinagepore for the Bengal Year 1187.

“ 1st. Jumma Mokurerry, as settled with Rajah Byjenaur, and continued to me Radahnaur —	14,60,444	12	12	2
“ Deduct the Amount Mofnahera, &c.				
Viz. Mofnahera —	1,50,000	0	0	0
Establishment for Officers —	26,320	11	0	0
	<hr/>			
	1,76,320	11	0	0
	<hr/>			
		12,84,124	1	12 2
“ 2d. Receipts by Government to the End of the Kists of May, viz.				
“ Paid at Purnea to the End of Aghen —	6,51,976	0	0	0
at the Khalsa, from that to the End of May, viz.				
“ Amount of Chelans —	5,30,783	4	0	0
Deduct for Paishcush —	11,684	0	0	0
	<hr/>			
	5,19,099	4	0	0
	<hr/>			
		11,71,075	4	0 0
		<hr/>		
		1,13,048	13	12 2(a)

The Managers for the Commons said, they would next call Mr. Thomas Nicholas Whitworth.

Mr. WHITWORTH was accordingly called in, and being sworn, was examined as follows :

Q. Have you any Account of the Sums of Money paid to Mr. Hastings on Account of his Salary in the Years 1783 and 1784 ?

A. Yes.

Q. Where is that Account ?

A. In these Books.

Q. Have you made any Extracts from those Accounts, of the Sums of Money paid to Mr. Hastings ?

A. I have.

Q. What are the Books ?

A. The Civil Paymaster's Disbursements in Bengal.

Then the Witness delivered in the Books, and was directed to withdraw.

Read, the following Extract from one of the same Books, intituled, “ Bengal Civil Paymaster's Disbursements, 30th April 1783, to 30th April 1784.”

“ Fort William, August 1783.

“ Disbursements of Mr. William Harding, Civil Paymaster, for the Month of August 1783.

“ Account Salary.

“ Paid the Honourable Warren Hastings Esquire, Governor General, his Salary for January 1783 — — — — — 23,604 : 2 : 8.

Read, a further Extract from the same Book, as follows :

“ Fort William, September 1783.

“ Disbursements of Mr. William Harding, Civil Paymaster, for the Month of September 1783.

“ Account Salary.

“ Paid the Honourable Warren Hastings Esquire, Governor General, his Salary for February and March 1783, at 23,604 : 2 : 8 per Month, by Transfer — — — — — 47,208 : 5 : 4

(a) Vide Appendix, N^o CLXI.

Read,

Read, a further Extract from the same Book, as follows :

“ Fort William, October 1783.

“ Disbursements of Mr. William Harding, Civil Paymaster, for the Month of October 1783.

“ Account Salary.

“ Paid the Honourable Warren Hastings Esquire, Governor General, his Salary for April and May 1783, at 23,604 : 2 : 8 per Month, by Transfer — — 47,208 : 5 : 4.

Read, a further Extract from the same Book, as follows :

“ Fort William, November 1783.

“ Disbursements of Mr. William Harding, Civil Paymaster, for the Month of November 1783.

“ Account Salary.

“ Paid the Honourable Warren Hastings Esquire, Governor General, his Salary for June 1783, by Transfer — — — — — 23,604 : 2 : 8.

Read, a further Extract from the same Book, as follows :

“ Fort William, December 1783.

“ Disbursements of Mr. William Harding, Civil Paymaster, for the Month of December 1783.

“ Account Salary.

“ Paid the Honourable Warren Hastings Esquire, Governor General, his Salary for July and August, at 23,604 : 2 : 8 per Month, by Transfer — — 47,208 : 5 : 4.

Read, a further Extract from the same Book, as follows :

“ Fort William, April 1784.

“ Disbursements of Mr. William Harding, Civil Paymaster, for the Month of April 1784.

“ Account Salary.

“ Paid by Transfer the Honourable Warren Hastings Esquire, Governor General, his Salary from the 1st September 1783, to the 30th April 1784, being 8 Months, at 23,604 2 : 8 per Month — — — — — 1,88,833 : 5 : 4.

Read, the following Extract from the other Book, delivered in by the Witnesses, intituled, “ Bengal Civil Paymaster's Disbursements from 1st May 1784, to 30th April 1785.”

“ Fort William, July 1784.

“ Disbursements of Mr. William Harding, Civil Paymaster, for the Month of July 1784.

“ Account Salary to the Honourable Governor General and Council of 1784-5.

“ Paid the Honourable Warren Hastings Esquire, Governor General, his Salary from 1st May to 31st July 1784, at 23,604 : 2 : 8 per Month — — 70,812 : 8 : 0.

Read, a further Extract from the last mentioned Book, as follows :

“ Fort William, November 1784.

“ Disbursements of Mr. William Harding, Civil Paymaster, for the Month of November 1784.

“ Account Salary to the Honourable Governor General and Council of 1784-5.

“ Paid the Honourable Warren Hastings Esquire, Governor General, his Salary for August 1784 — — — — — 23,604 : 2 : 8.

Read, a further Extract from the last mentioned Book, as follows :

“ Fort William, December 1784.

“ Disbursements of Mr. William Harding, Civil Paymaster, for the Month of December 1784.

“ Account Salary to the Honourable Governor General and Council of 1784-5.

“ Paid the Honourable Warren Hastings Esquire, Governor General, his Salary from 1st September 1784, to 31st Dec. 1784, is 4 Months, at 23,604 : 2 : 8 per Month — 94,416 : 10 : 8

Read, a further Extract from the last mentioned Book, as follows:

“ Fort William, January 1785.
“ Disbursements of Mr. William Harding, Civil Paymaster, for the Month of January
1785. “ Account Salary to the Honourable Governor General and Council of 1784-5.
“ Paid the Honourable Warren Hastings Esquire, Governor General, his Salary for January
1785 — — . — — — 23,604 : 2 : 8.”

Then the House adjourned to the Chamber of Parliament.

Die Fovis, 20^o Maii 1790.

THE Lords being in their Places, the House resumed, the usual Proclamations made, and the Defendant appearing at the Bar, the Lord Chancellor acquainted the Managers for the Commons, they might proceed to make good their Charge.

The Managers for the Commons desired Mr. Wright might be called in.

Mr. WRIGHT was accordingly again called in, and examined as follows :

Q. Does that Book contain any Account of Remittances made on Account of Mr. Hastings, in the Years 1783 and 1784 ?

A. It does. This is the Bengal General Journal of the Years 1783 and 1784.—In Page 352, there is this Entry : “ Treasury Debtor to sundry Accounts April 1784. To Loan, at 8 per Cent. for Bills to be granted 1st of February 1785. Received of the following Persons, for which Bills of Exchange are to be granted them on the Honourable the Court of Directors, bearing Date 1st February 1785.” The Account is continued to several Pages ; and in Page 357, to “ The Honourable Warren Hastings” the Sum of “ 2,02,000 Rupees.”

(Cross examined.)

Q. Does it appear what Money produced those Bills, whether it was given in exchange for Money, or paid for Salary, or what the Consideration was ?

A. From the Entry I have just read, it should appear to be Money paid into the Treasury ; the Entry is under Treasury Account April 1784, “ received of the following Persons, for which Bills of Exchange are to be granted.”

Q. Might not that be a Transfer on Account, instead of Bills or Cash ?

A. It does not appear so on the Books.

Q. Can you find the corresponding Account ; there are Debtor and Creditor Accounts ; is the Company credited for the Money ?

A. The Company is debited for this Money in the Way I have just stated, and the Entry I read is to “ The Honourable Warren Hastings” the Sum of “ 2,02,000 Rupees.” It says “ received.”

Q. Does it appear from that Book that it was a Payment of Money received from Mr. Hastings ?

A. It should appear so by the Entry I have just read.

Q. Is there any other Account to which that refers ; any Account with Mr. Hastings, kept by the Treasury, in which Credit is given for the Sums he pays ?

A. There is an Account in the Books for those Years.

Q. *(by a Lord.)* What is the Title of the Account ?

A. General Journal Accounts Bengal, under the Head of Treasury Accounts Bengal.

Q. By whom is it kept ?

A. By the Sub-Treasurer in Bengal.

Q. Are they the Treasurer's Books ?

A. The Treasurer's Books.

The Witness was directed to withdraw.

The Managers for the Commons informed the House, they should next read a Letter, dated the 13th of April 1781, for the Purpose of falsifying the Contents of a Letter from the Governor General and Council to the Court of Directors, dated the

5th of May 1781, and already in Evidence (a), as far as the same contained Mr. Hastings's Account of the Abolition of the Provincial Councils, and the Appointment of the Committee of Revenue.

The Counsel for the Defendant objected to the reading of the Letter of the 13th April 1781, for the Purpose above mentioned.

The Managers for the Commons were heard in Answer to the said Objection, and the Counsel for the Defendant, in Reply.

Then the House adjourned to the Chamber of Parliament.

(a) Vide *supra*, Page 1183.

Die Mercurii, 2° Junii 1790.

THE Lords being in their Places, the House resumed, the usual Proclamations made, and the Defendant appearing at the Bar, the Lord Chancellor said,

“ Gentlemen, Managers for the Commons, and Gentlemen of Counsel for the Defendant, the Lords have resolved, That it is not competent for the Managers on the Part of the Commons to give any Evidence upon the Seventh Article of Impeachment, to prove that the Letter of the 5th of May 1781 is false, in any other Particular, than that wherein it is expressly charged to be false.”

The Managers for the Commons desired Mr. Hudson might be called in.

Mr. HUDSON was accordingly again called in.

The Managers for the Commons stated, that in the Printed Minutes there was a Letter of Mr. Larkins, which contained an Account of a Variety of Sums of Money said to be received by Mr. Hastings, with the Bengal Dates affixed; as those Dates, and the Calculation of the Bengal Year, might not be perfectly familiar to the House, they had endeavoured to procure a Translation of them, which they would now produce.

Then the Witnesses was asked,

Q. What is that you have in your Hand?

A. Part of a Letter from Mr. Larkins.

Q. Have you translated the Bengal Dates into English Dates?

A. As near as I could from my Knowledge.

Q. From whence did you take them?

A. From some Books called the Provincial Accounts.

Then the Witnesses delivered in a Paper—the same was read, and is as follows:

“ COPY of N^o 1, referred to by Larkins’s Letter, 5th August 1786, entered in printed Minutes 1156, 1157, with English Dates.

“ Copy of the Particulars of the Dates on which the component Parts of sundry Sums included in the “ Account of Sums received on the Account of the Honourable Company by the Governor General, or paid to their Treasury by his Order, and applied to their Service,” were received for Mr. Hastings, and paid to the Sub-treasurer.

“ N^o 1, DINAGEPORE.

From			
29 to 31 Sawan 1186, or	11th to 13th Aug. 1779	—	89,999 0 0
17 to 21 Bhaudun	30th Aug. to 3d Sept. 1779	—	49,974 0 0
1 to 5 Asfin	15th Sept. to 19th Sept. 1779	—	27,000 0 0
8 Poofe	20th Dec. 1779	—	25,000 0 0
10 —	22d ib. ib.	—	15,000 0 0
27 —	8th Jan. 1780	—	10,000 0 0
29 Maug	9th Feb. 1780	—	20,000 0 0
2 Faugun	11th Feb. 1780	—	20,000 0 0
4 —	13th ib. ib.	—	9,000 0 0
12 Sawan 1187, or	21st Feb. 1780	—	1,000 2 0
9 Sawan	21 July 1780	—	40,000 0 0
			<hr/>
			3,06,973 0 0
18 and 19 Asfin,	or 3d and 4th Oct. 1780,		2,00,000 0 0
			<hr/>
Remains			— 1,06,973 0 0
Charges			— 9,310 0 0
			<hr/>
Balance in Charge of G. G. S.			— 97,663 0 0

" Supposing the Dates underneath are of the Bahar Year 1188, or 1780-1781.

" P A T N A.

12	Cheite, or 21st March 1781	—	—	15,000 0 0
18	— 27th ib. ib.	—	—	10,000 0 0
22	— 31st ib. ib.	—	—	60,000 0 0
23	— 1st April 1781	—	—	5,000 0 0
23	— ib. ib. ib.	—	—	10,001 0 0
28	— 6th ib. ib.	—	—	60,000 0 0
10	Bylack 20th ib. ib.	—	—	10,000 0 0
10	— ib. ib. ib.	—	—	26,000 0 0
12 to 14	— 22d to 25th ib.	—	—	20,000 0 0
14	— 25th ib. ib.	—	—	4,000 0 0
2	Affin 14th Sept. 1781	—	—	1,000 0 0
				<hr/> 2,21,801 0 0
15 and 16	Bylack 1189, or 26th and 27th April 1781, paid Mr. Croftes			2,00,000 0 0
				<hr/> Balance — 21,801 0 0

" N. B. The Bengal Year begins on or about the 10th April, and the Bahar Year on or about the 14th September.

" N U D D E A.

15	Cawtic 1187, or 28th Oct. 1780	—	16,001 0 0	
27	— 9th Nov. ib.	—	20,000 0 0	
28	— 10th ib. ib.	— —	20,000 0 0	
30	— 12th ib. ib.	—	10,000 0 0	
4	Augun 17th ib. ib.	— —	7,749 0 0	
7	— 20th ib. ib.	—	5,000 0 0	5,000 too much.
9	— 22d ib. ib.	— —	25,000 0 0	
	No Date	— —	1,250 0 0	
24	Augun 7th Dec. ib.	—	15,000 0 0	
17	Poole 30th ib. 1780	—	15,000 0 0	
22	— 4th Jan. 1781	—	20,000 0 0	
			<hr/>	1,50,000 0 0
11	Augun, or 24th Nov. paid to Mr. Croftes	—	—	<hr/> 1,50,000 0 0
Paid to Mr. Croftes				
19	Assin, or 4th Oct.	—	2,00,000	
16	Bylack — 25th April	—	2,00,000	
11	Augun — 24th Nov.	—	1,50,000	
			<hr/>	5,50,000

Paid to Mr. Croftes

19	Affin, or 4th Oct.	—	2,00,000
16	Bylack — 25th April	—	2,00,000
11	Augun — 24th Nov.	—	1,50,000

Memorandum of the Cabooliats attended to in the above.

			Cabooliats.	Received.	Balance.
Dinapore Peishcush	—	—	4,00,000 0 0	3,00,000 0 0	1,00,000 0 0
Nuddea	—	—	1,50,000 0 0	1,50,000 0 0	
Patna	—	—	4,00,000 0 0	2,00,000 0 0	2,00,000 0 0

(Signed)

" W^m Larkins.

5th August 1786."

Then the following Question was put to the Witnefs.

Q. Whether any Duplicate of the Letter of the 20th of January 1782, from Patna, from Mr. Hastings, ever came to the India House?

A. On Recollection, I believe there was not. I once thought there was, but, upon Enquiry, I rather think there was not.

Q. There was a Letter written by Mr. Hastings, from Patna, containing a Discovery of a Present, 20th January 1782. In a subsequent Letter Mr. Hastings says, " In a Letter which I had the Honour of addressing to you in a Duplicate, and of which, in a Triplicate, I informed you so and so—I wish to know, whether that Duplicate ever arrived at the India House?

A. I have made Enquiry, and I do not find such a one ever arrived.

(Croftes

(Cross examined.)

Q. How many Copies of that Letter from Mr. Hastings came to the India House; and whether that Letter you described is a Triplicate only?

A. I never saw but one Copy of it, which I take to be the original Letter; endorsed upon the Back of it, "Received from Major Scott."—I never saw any other.

Q. Have you made due Search among the Records of the Company to find such a Letter?

A. I have made Search for that very Object, but do not find any such Letter exists—it may be among the Papers of the Secret Committee of the Court of Directors, to which I have not Access.

Q. You have not, therefore, searched among them?

A. I have not Access to them.

Q. Who has Access to them?

A. Mr. Johnson.

Q. Ought it not to be regularly in your Office?

A. No; not exactly so.

Q. Then it is not in the India House at any other Place, unless in the Papers of the Secret Committee, as far as you know?

A. It may be; but not that I know of.

Q. (by Counsel.) You say it is not in your Office, and that your Office is not the proper Place to find it, if it exists?

A. Our Office is the Place for the Books; the Head of the Office is Clerk of the Secret Committee.

Q. Is there any Name for the Place where the Letters are deposited?

A. I am a Clerk in that Office.

Q. (by a Lord.) You say it is not there?

A. It is not a publick Paper.

Q. Not in its Nature?

A. In its Nature it is; but the Duplicate happened not to be laid out.

Q. Not to be laid out—how?

A. It appears not to be laid out from the secret Papers.

Q. You suppose, if it is in Existence, it is among the secret Papers?

A. I suppose so.

Q. But you mentioned just now it might be in some other Department?

A. It may be some where else.

Q. (by Managers.) In what Office was it the first Copy was found?

A. It was originally sent to our Office.

Q. And preserved there ever since?

A. Yes, afterwards; but it was mislaid for some Time.

Q. Do you know, from your Practice in that Office, whether, when an Original is preserved in the Office, the Duplicate and Triplicate, if they arrive, are all preserved with the same Care as the Original?

A. Not always exactly with the same Care—in general they are.

Q. Do you mean the Care, in which both Original, Duplicates, and Triplicates are preserved, is such, that if you do not find them all Three, they never have been sent?

A. No; not altogether so.

Q. With what Care is the Duplicate and Triplicate preserved—are they preserved in the same Office?

A. They are tied up with the other Papers—the first received is bound up in a Book.

Q. The others are preserved in loose Papers or Bundles?

A. Yes; in Bundles of Papers.

Q. Whether the first of these Papers that arrived was in the Office in such a Manner as you had Access to it—was the original Letter preserved in your Office?

A. Yes.

Q. Had it ever been in the Department of Secrecy?

A. Yes.

Q. And had been returned to your Office?

A. Yes.

Q. If the Original goes to the Department of Secrecy, do the Duplicate and Triplicate go to that Department?

A. They come there of Course; they are addressed there; and therefore, I think it likely, that the Duplicate and Triplicate may be in that Department still.

Q. (*by a Lord.*) Was the Original at any Time mislaid—and when?

A. Yes, it was for some Time.

Q. For how long—and when?

A. I dare say, for Twelve Months at least.

Q. Where was it found afterwards?

A. It was found in the Possession of the Deputy Secretary—I found it there.

Q. (*by a Lord.*) You said the original Letter first received was bound up in a Book—whether you mean always by Original, the first of the Copies that is received?

A. I mean the first Copy received, whether a Duplicate or Triplicate.

Q. (*by a Lord.*) How did that Letter which was first received come not to be bound up as usual?

A. It was at a Time I was not in the Department, therefore I cannot tell; but I caused it to be bound up when I found it.

The Managers for the Commons stated, they would next shew, that the Offices of Dewan and Farmer never were united in the same Persons, except in the Two Provinces where Mr. Hastings received Money.

Read, from Book 272, the following Extract of a Consultation of the 2d November 1784, beginning at Page 290 of the same Book.

“ Fort William, the 2d November 1784.

“ At a Council; Present,
John Macpherson Esquire.

The Governor General absent on a Visit to the Vizier.
Mr. Stables absent.

“ Extract of a Letter from John Shore Esquire, President, &c. of the Committee of Revenue.

“ Before we proceed to this Task, we shall first reply to the Requisitions in your Letter.

“ Rajah Deby Sing was Farmer, Security, and Dewan of Rungpore. The Union of the Two former Offices in the same Person requires no Explanation, since the Practice is very general, and is founded upon solid and obvious Reasons; the Investiture in the Office of Dewan, during the Period in which he held the Farm, is less common, but not without a Precedent, for Rajah Cullyan Sing stood precisely in the same Predicament, with regard to the Province of Beyhar. The Appointment in Question was also notified to your Honourable Board.” (a)

(Signed at the End)

“ John Macpherson.”

Then Mr. WILLIAM THOMPSON was called in, and being sworn, was examined as follows:

Q. What is that you have got in your Hand?

A. A Notice to produce a Letter containing the original Caboolcats.

Q. Did you serve that Notice upon Mr. Hastings' Attorney?

A. I did.

Q. Produce it.

The Witness produced a Paper, and the same being delivered in, was read, as follows:

“ House of Lords.

“ You are hereby required to produce forthwith, at the Trial of the Impeachment now prosecuting against Warren Hastings Esquire, the original Caboolcat, mentioned in the Paper or Account, marked No. 1, accompanying, and referred to by William Larkins Esquire, Accountant General in Bengal, in his Letter to William Devaynes Esquire, Chairman of the East India Company,

(a) Vide Appendix, N° CLXII.

bearing Date the 5th Day of August 1786; and also the original Teeps, Obligations, or Securities severally given in respect of the said Caboolists. Dated this 20th Day of February 1790.

" To Richard Shaw Esquire,
Solicitor for the said Warren
Hastings.

We are, &c.

Wallis and Troward,
Solicitors for the Managers
conducting the Impeachment."

Q. Do you produce that Teep?

The Counsel for the Defendant stated, That Mr. Hastings certainly had no such Papers, or he would have produced them.

The Managers for the Commons desired Mr. Hudson might be called in again.

Accordingly Mr. HUDSON was again called in, and examined as follows:

Q. Have you searched the Books at the India House for any Teep, Security, or Obligation, granted by Kelloram or Cullian Sing to Mr. Hastings?

A. I have got a Collection of Papers concerning Kelloram's Farm, and I find no such Paper among the Proceedings.

Q. Have you searched for it?

A. Not expressly; but if there had been such, I suppose I should have found it; and I should have included it in the Collection.

Q. (*Cross examined.*) Whether you know any Instance of any original Cabooleat or Teep whatever transmitted from India to the India House?

A. Certainly not: I understood this was an Agreement between Cullian Sing and Mr. Hastings, of Course it would not appear.

Q. But in other Cases of Teeps or Cabooleats, are the Originals ever transmitted to the India House?

A. Certainly not.

Q. Are there any Copies of them transmitted to the India House?

A. If this is a Note of Hand, which I suppose it to be, there certainly is not.

Q. (*by a Lord.*) Are Copies of Cabooleats transmitted to the India House?

A. When a Farm is let, the Cabooleats are generally, almost universally, upon the Consultations: I do not understand the Difference between a Cabooleat for a Farm, and that spoken of.—A Teep I understand to be a Note of Hand.

Q. (*by Counsel.*) Are there any Instances, from the Beginning of Time to this Hour, of any Teeps being transmitted to the India House?

A. No; never that I heard of.

The Managers for the Commons stated, They would next proceed to shew that it was the Opinion of the Court of Directors, that even when small Presents were made and carried to the Account of the Company, it was a Thing that ought not to be done.

Read, from Book 216, the following Extract of a Consultation of the 7th November 1774, beginning at Page 134 of the same Book.

" Fort William, the 7th November 1774.

" At a Council; Present,
The Honourable Warren Hastings, Governor General, President;
Lieutenant General John Clavering,
Richard Barwell, } Esquires,
Philip Francis, }
Colonel Monson indisposed.

Sec. Dep.
Monday.

" The Governor lays before the Board Two Bags, one containing One hundred forty-six Gold Mohrs, the other containing Three hundred twenty-seven Rupees of different Sorts, which were presented to him in Nizzers by different Persons, from the 1st August to the 31st of October. He has not thought it proper to discontinue the Custom, but has accepted the Presents on the Behalf of the Company, meaning to deliver for their Use, at the End of each Month, the Sums so received by him in the Course of it, which, in his Opinion, will be preferable to an abrupt Rejection of such Offers, which are intended, by immemorial Usage, as Pledges of Respect and Submission, and accepted as an implied Assurance of Protection.

The President offers his Nuzzers to be carried to the Company's Credit.

" He submits his Intention in this Respect to the Judgement of the Council, and will readily correct it, if they shall deem the Subject of so much Importance, as to prescribe a general Rule of Conduct more conformable to the Design and Letter of the late Act of Parliament.

14 U

" Ordered,

Received into the Cash. " Ordered, That the Money be sent to the Cash, and carried in Account to the Company's Credit under the Head of Nuzzers; and that whatever Sums may be hereafter tendered by the Governor be received and credited in the same Manner.

The General's Opinion on this. " The General conceiving it to be the Intention of the Legislature, that the Governor General and Members of the Council should receive no Presents, either from the Indian Powers, or any Persons whatever, he has strictly complied since his Arrival here, both with the Spirit of the Letter of the Act of Parliament, and has accordingly returned all the Presents which have been made to him.

Mr. Francis. " Mr. Francis delivers his Opinion on this Subject in the following Words.

" I have not yet received, nor do I intend to accept of any Nazir or Present whatsoever. The Prohibition in the Act of Parliament appears to me so strict, that I think no Choice is left my own Discretion. This however is a Point on which every Gentleman will judge for himself, and I do not mean to impute the least Impropriety to any Opinion that may differ from mine on this Subject.

(Signed) " P. Francis."

Mr. Barwell's Minute on receiving Presents. " Mr. Barwell delivers a Minute in consequence of the Discussion of this Matter, as follows :

" I entirely approve of the Honourable the President's Conduct in the Receipt of complimentary Nuzzirs. The Prejudices of the Natives of Hindostan, bigotted to their ancient Customs, make it absolutely impossible to avoid deviating, in this Particular, from the Words of the Act of Parliament. The Spirit of the Act is not, however, by this seeming Deviation, departed from, but regarded with an Attention which shews the most scrupulous Respect to the Restrictions of the Legislature. Nuzzirs are not made to the Man, but to the Station he fills, and are very different in their Nature from gratuitous Rewards, or the Gifts denominated Presents. I therefore cannot but equally honour the Principle, while I admit the Justness of the Motive, on which official Nuzzirs or Compliments are accepted by the Governor General. I see their Acceptance in a Light of the greatest Propriety, perfectly consistent with the Ideas of the Company, and regardful of what they have invariably recommended—Attention to the particular Prejudices, Manners, and Dispositions of the Natives.

" The Governor General has thought proper to submit the Nuzzirs made to his Station to the Court of Directors, to be appropriated agreeably to their Pleasure: Small as the Object is to the Company, and to the Nation, it gives Dignity to his Character, as Guardian of the public Interests, and obviates all this Misinterpretation of the Principle of the Motive which has induced him to a Compliance with the rooted Prejudices and Manners of the Asiatics. My Experience, from long Residence in this Country, convinces me of the real Necessity there is of rejecting Usages in immaterial Points, and which disregarded, would be followed by Impressions resulting from a Conduct repugnant to Asiatic Notions of Propriety and Deference.

* Sic in Orig. " I might here make a Tender to the Publick of the trivial Nuzzirs, to the Acceptance of which my Station has impelled me; but what is proper for the Governor General would, in me, I apprehend, appear rather in the Light of a consequential insignificant Display of Rigidity* in the Excess. The Amount of my complimentary Nuzzirs of a Gold Mohur and Five Rupees from the Period of my Arrival at the Presidency, exceeds not the Sum of 250 R^s, exclusive of a Compliment from the Nabob of Arcot of a few Pieces of Cloth, the Produce of his Country, and Two Shawls, a Compliment more than returned by myself in the Manufactures of Bengal, to the Amount

* Sic in Orig. of S^r R^s 3,000 *, three thousand Sicca Rupees.

(Signed) " Rich^d Barwell.

And at the End of the Consultation,

" Warren Hastings,
J. Clavering,
Rich^d Barwell,
P. Francis."

To shew that the Company approved of the Determination of the Majority of the Board last read in Evidence,

Read the following Extract from the printed Minutes of Evidence, beginning at Page 971 of the same.

" Extract of a separate General Letter from the Court of Directors to the Governor General and Council at Fort William, in Bengal, dated the 15th December 1775.

43. " As the Custom of receiving complimentary Nazirs, or Presents, is not only liable to Abuse, but also contrary to the late Act of Parliament for regulating Indian Affairs, we much approve the Determination of the Majority to refuse all such Presents; and direct that strict Obedience

dience be paid to the said Act, not only by all the Members of our Council, but by every Person in our Service, and by all British Subjects residing in India under our Protection.

Signed (at the End of the Letter)

" Ch ^r Boddam,	John Harrison,
Pet. Lafcelles,	John Roberts,
Tho ^r Rumbold,	W ^m James,
J. Stables,	G. Wombell,
Edw ^d Wheler,	Rob ^t Gregory,
Jn. Woodhouse,	John Michie,
W. Devaynes,	Fred ^k Pigou."

To shew that the Defendant presented to the Company the Sum of 20,000l. received from Cheit Sing, as his own Money;

Read, from Book 20, the following Extract of a Consultation of the 26th June 1780, beginning at Page 560 of the same Book.

" Fort William, 26th June 1780.

At a Council; Present,
The Honourable Warren Hastings, Governor General, President;
Philip Francis, } Esquires.
Edward Wheler, }

Lieutenant General Sir Eyre Coote absent on a Visit to the different Stations of the Army.

" Extract from Governor General's Minute.

" I now revert to my Proposition, and request the Board to reconsider their Objections to the Instructions which I have proposed to be given to Major Carnac. I have not the Presumption to expect that they will be influenced by my Reasonings which I have used, having had too much Experience of the Insufficiency of Official Argument to overcome a decided, and much less a confederate Opposition; but as the Expence which will attend the Measure which I have recommended, is the only formal Objection made to it, I hope I may be allowed to remove it by offering to exonerate the Company from it, and to take it upon myself. That this Proposition may not be misunderstood, and that I may not bind myself by Engagements, which may exceed my Power to fulfil them, I will explain myself:

" The regular Pay and Batta of the Troops which are to form Major Carnac's Detachment, constitute no Part of the Expence of it, since these would be the same in their Amount, although the Battalions remained in their original Quarters. Neither ought the Suspension of the Subsidy to be charged to the Expedition, since it is probable, and I regard it as certain, that the Ranah, having no further Call for our Aid within his Country for the sole Defence of it, will be glad to be relieved from the Expence attending it, and because it is proposed, in the last of the Minutes of Messrs. Francis and Wheler, to withdraw it. The Contingencies of the Detachment are, therefore, the only Expence that can be reasonably charged to the Expedition. These I rate far below Two Lacks of Rupees. That Sum I offer to contribute to this Disbursement: I have already deposited it, within a small Amount, in the Hands of the Sub-Treasurer; and I beg that the Board will permit it to be accepted for that Service. (a)

(Signed)

" Warren Hastings.

" Ordered, That the foregoing Minute lie for Consideration.

(Signed at the End of the Consultation)

" Warren Hastings,
P. Francis,
Edw^d Wheler."

The Managers for the Commons stated, they would next deliver in a Paper containing a Reference to such Parts of the printed Evidence, as the Managers relied on, to prove the Receipt of Presents from Saddanund, the Vackeel of Cheit Sing, and from the Nabob Vizier.

The same was delivered in, and is as follows:

(a) Vide Appendix, N^o CLXIII.

" A Reference to such Parts of the Evidence, as the Managers rely on, to prove the Receipt of Presents from Saddanund, the Vackeel of Cheit Sing, and from the Nabob Vizier,

S A D A N U N D,—Two Lacks.

To shew the Receipt of the Two Lacks charged to be received from Sadanund.

Printed Minutes, Benares 1788.

96 Hastings's Defence.

Printed Minutes, 1790.

1103 Hastings to the Directors. 1780, November 29.

1114 Same to same. 1782, May 22.

1115 Account referred to in the last.

Ibid. Affidavit of Larkins annexed.

1151 Hastings to the Chairman of the Directors, from Cheltenham. 1785, July 11.

1153 Larkins to the Chairman of the Directors,—Par. 11, 12, 13, 14. 1786, August 5.

Printed Minutes, 1788.

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Major Scott's Examination.

V I Z I E R,—Ten Lacks.

To shew that Hastings took the Bribe of £. 100,000 from the Vizier.

Printed Minutes, 1788.

544 Hastings to the Directors. 1782, January 20.

545 Middleton's Examination.

Hastings's own Account of that Transaction; his Acknowledgement of it to the Directors, when, as he states, it could no longer be concealed; and his Application to the Company to have it allowed to himself.

553 Hastings to the Directors,—Cheltenham. 1785, July 11.

555 Middleton to Hastings. 1782, January 10.

556 Middleton I. B. to Larkins. 1781, August 22.

Ibid. Same to Roberts. ibid. ibid. 30.

Ibid. Hastings to Wheler. ibid. October 13.

557 Same to the Directors. 1782, May 22.

558 Same to same. ibid. December 16.

An Account of the Produce of this Sum given to Hastings by the Nabob.

Ibid. Account. 1782, May 22.

559 Larkins's Affidavit. ibid. December 16.

Ibid. Directors to the Council. 1783, January 15.

560 Larkins to the Directors. 1786, August 5.

Ibid. Account inclosed.

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Major Scott's Examination.

To trace the Present through Gopaul Dofs, to the Time the Begums were plundered; and to shew that Gopaul Dofs was particularly recommended by Hastings to Middleton.

575 Hastings to Middleton. 1781, December 22.

576 Middleton to Hastings. 1782, January 15.

Ibid. Same to Same. 1782. February 21.

577 Middleton to Palmer. 1781, October 29.

Ibid. Same to Hastings. 1782, October 23.

The Managers for the Commons stated, they would next proceed to give some Evidence in regard to a Matter in Charge in the 14th Article, connected with the Receipt of Presents, in respect of an Offer of another Sum of 100,000*l.* from the Nabob Vizir.

Then Mr. HUDSON was called in again, and examined as follows :

Q. Have you searched the Proceedings of the Bengal Consultations in the Month of February 1782?

A. I have.

Q. Does any Offer of a Present of a 100,000 *l.* from the Vizir to Mr. Hastings, appear upon the Proceedings of that Month?

A. There does not.

Q. Do any Instructions from the Governor General to Mr. Palmer appear upon those Proceedings?

A. They do not appear till the 21st of October 1783.

The Managers for the Commons stated, they would next produce the Instructions of Mr. Hastings to Major Palmer.

Read, from Book 84, the following Extract of a Consultation of the 21st of October 1783, beginning at Page 753, of the same Book.

[" Fort William, 21st October 1783.

Secret Dept.
Tuesday.

" At a Council; Present,
The Honourable Warren Hastings Esquire, Governor General, President;

John Macpherson, }
and } Esquires;
John Stables, }
Mr. Wheeler absent up the Country.

" The Governor General delivers in the following Minute, accompanied by a Copy of his Instructions to Major Palmer. No 71.

" Governor General.—The frequent Use which has been lately made of Major Palmer's Name in the Records of the late Transactions at Lucknow, the Assertion made by Mr. Johnson in his Defence, that Major Palmer was at Lucknow in the Character of a Political Agent, and the private Suggestions which have been conveyed to me, of Misconstructions passed on the Nature and Object of Major Palmer's Deputation, compel me to lay before the Board the original Instructions which he received from me, and which, if I can trust to my own Recollection, and the Rule of Conduct which I have invariably prescribed to myself in Cases of this Kind, were both seen and approved by the actual Members of the Board. I own that it is with Reluctance that I present them. They were not intended to be recorded, their primary Object being more to quiet the Mind of the Nabob, to whom I owed that Return of Attention for the honest Attachment which he shewed to me, when he thought me in Distress, and my Person in Danger, than for any other Purpose.] § (" This must account for the unapplied Heads of Memorandums

Governor
General's
Minute.

" with which the Instructions conclude. I cannot at this Time, were it necessary, explain them; but know that they were designed only to preserve his Recollection of the loose and undetermined Ideas, which I had communicated to him in Conversation respecting them.

" I desire that this Minute, with Major Palmer's Instructions, may be added to the other Papers which have been recorded on the general Subject of the Complaints preferred against Mr. Bristow, and transmitted with them by this Dispatch to the Court of Directors.") (a)

(Signed) " W. Hastings. §

And at the End of the Consultation,

" Warren Hastings.
John Stables."

Q. (*Cross examined by the Counsel.*) Whether, from your Inspection of the Proceedings of the East India Company, it is not very frequent for Papers to be handed about from One Member to another?

A. It is usual to send Papers in Circulation.

Q. And they are frequently entered at a subsequent Period?

A. Not at so long a Period as this, I believe.

(a) Vide Appendix, N^o CLXIV.

Q. Whether you do not know that many Letters, supposed to contain Matter of Secrecy, have been purposely postponed?

A. There certainly are.

Q. The Instructions to Mr. Elliot, for Instance?

A. They were withheld for some Time; I cannot say for how long: Mr. Bristow's were withheld.

Q. (by Managers.) Does it appear that this Offer of a Present to Mr. Hastings was ever circulated?

A. It does not appear it was ever circulated.

Read, further Extract from the same Consultation, beginning at Page 767 of the same Book.

No 73.
Mr. Macpherson's Minute.

" Mr. Macpherson.—Though I do not remember to have seen Major Palmer's Instructions in their present arranged State, I remember perfectly to have seen detached Minutes or Memorandums of his Commission to Owde in April or May 1782.

" I approved of his being sent thither, and that Major Davy should accompany him.

" The Objects of their Mission were, as I recollect them, to inform this Government of the real State of the Vizier's Country, on Information, which was at the Time withheld by our official Agents, to ascertain the Causes of the Vizier's seeming Dissatisfaction; and to endeavour to induce him to transfer Ten Lacks of Rupees that he offered to the Governor General as a Present, to the Company's Account, as a Donation to them. It was besides wished, and Major Palmer was sanguine in his Expectations of succeeding in the Negotiation; that Hyder Beg Cawn and Almas Ali Cawn might be induced to lend a considerable Sum of Money as a Loan to the Company.

" The Governor General likewise shewed me Major Palmer's Letters from Owde soon after his Arrival there. I do not recollect their Contents, for I was not well at the Time. Major Davy returned to Calcutta soon afterwards, and the Accounts we had from both confirmed me in the Representations that prevailed relative to the distracted State of the Vizier's Country." (a)

Read, further Extract from the same Consultation, beginning at Page 762 of the same Book.

" Extract of a Letter from Warren Hastings Esquire, to Major William Palmer, dated Fort William, 6th May 1782.

" 4thly, The Nabob Vizier having, by an Intimation made to Mr. Middleron in the Month of February last, been pleased to express his Desire to make me a Present of Ten Lacks of Rupees, and requested my previous Consent and Acceptance of the same, I desire you will make my Acknowledgments, in proper Terms, for this Instance of his Liberality and Benevolence, and acquaint him, that I am precluded from accepting it by many Conditions, but by one especially, which I beg him to take in good Part; namely, that if I had received it at the Time in which the Tender of it was made, it would have been liable to Constructions, even in his own Breast, so repugnant to the disinterested Friendship which I profess and bear towards him, that no Consideration of personal Profit could have induced me to accept it at such Hazard. If he should renew the Offer to you, you will inform him, that my Objection remains the same, and is insuperable; but that if he will be pleased to transfer it to the Company for the Relief of their present and known Distresses, I will accept it on their Behalf, with a Thankfulness equal to that which I should have felt and expressed for the Gift had it been made to myself, the Wants of the Company being at this Time of equal Concern to me as my own: Let him understand this Subject rightly, and he will see in my Refusal, thus qualified, the most convincing Proof of my Friendship for him, and Regard for his Interest." (b)

Then the Witness was asked:

Q. When does this Present, referred to in that Letter and Instructions to Major Palmer, next appear upon the Consultations?

A. I believe on the 12th of June 1783.

Q. Does any Thing, with respect to this Present, appear on the Minutes of the 7th of September, when Mr. Johnson was removed?

A. I examined the Consultations this Morning with that View, and I do not find it is mentioned there.

Q. When does it next appear?

A. Upon the 12th of June 1783.

(a) Vide Appendix, N° CLXIV.

(b) Ibid.

Read,

Read, from Book 82, the following Extract of a Consultation of the 12th June 1783, beginning at Page 71, of the same Book.

“ Fort William, 12th June 1783.

“ At a Council; Present,
The Honourable Warren Hastings, Governor General, President;
Edward Wheler,
John Macpherfon, } Esquires.
John Stables,

Bengal Secret
Council.

“ Extract from Charges against Mr. Richard Johnson.

“ 3dly, For sending repeatedly to the Vizir, and to his Minister Hyder Beg Cawn, to advise them against transferring the Ten Lacks of Rupees intended as a Present to the Governor General to the Company's Account, as it would be a Precedent for further Demands; which, if the Vizir did not resist in the first Instance, the Government would never cease to harrafs him for Money. (a)

Consultation,
7th Sep. 1782.
Major Palmer's Letter.

(Signed at the End of the Consultation)

“ Warren Hastings,
Edw^d Wheler,
John Macpherfon,
John Stables.”

Read, from Book 81, the following Extract of a Consultation of the 28th of July 1783, beginning at Page 282 of the same Book.

“ Fort William, 28th July 1783.

“ At a Council; Present,
The Honourable Warren Hastings, Governor General, President;
Edward Wheler, } Esquires.
John Stables, }
Mr. Macpherfon indisposed.

Secret Dept.
Monday.

3d Charge, Cont^d 7th September 1782.

Answer.

“ Major Palmer's Letter “ for sending repeatedly to the Vizier, and to his Minister Hyder Beg Khan, to advise them against transferring the 10 Lacs of Rupees intended as a Present to the Governor General to the Company's Account, as it would be a Precedent for further Demands, which, if the Vizier did not resist in the first Instance, this Government would never cease to harafs him for Money.”

“ This Extract, and the Matter of the remaining Charges, are not in the Copy of the Proceedings of the 7th September sent to me in December last. I am not the less ready to meet them here.

“ The Act and Intention, as far as I shall limit them, in admitting myself the Cause of preventing the 10 Lacs mentioned from being, at that Time, paid to the Company, are true. The Reasons assigned for such Prevention, “ left* the Nabob should be again harassed,” &c. are the Minister's own Words and Objections, made to me, transferred into my Mouth. The Mode also, by Message, is likewise misrepresented. But that is immaterial. Suffice it for me to explain the Act. I acknowledge Fifty Lacs were due in Balance. All the Nabob's Resources not promising to prove equal to discharge this Balance, a new Claim was at this same Instant made of 82 Lacs. The Resources in my Hands, the sole Fund existing to answer both, the Means unequal to this End, the Question remained, which of the Two Claims, the new or the old, should be first paid? I did not hesitate one Instant to declare, that if any of the Assets placed in my Hands should be attempted to be estranged from the Purposes for which they were assigned, I should declare it a Breach of Treaty. They were to discharge the Balances of Years. The sole Object of the late Treaty, and all the Measures connected with it, had this single Point for their End. Could I, deeply pledged for the Fulfilment of this Treaty, subscribe to the total Subversion of these Measures at the very Moment of their Completion, in the Termination of the Year prescribed and allotted for their Operation?

* Sic in Orig.

60 a Loan.
12 for Four additional Regiments.
10 the Sum in this Charge.

—
Total 82
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I could not ; I ought not ; therefore, I thus obstructed the Whole ; of course, the Parts of that Whole, for the Reasons above assigned, and no other whatever. Whether such a Preference, so given to a previous Claim, was criminal or meritorious, rests with the Honourable Board to declare, when they recollect that retarding neither expunges or diminishes a Claim. Permit me here to subjoin, had the 10 Lacs been uninvolved with the 72, or had the aggregate Sum not been required within the Period left for liquidating the Balances intrusted to me, or had not the Assets lodged in my Hands for this Purpose been the sole Funds from which such Payment could be attempted, so far from impeding even for a Moment such a Claim, I should have been the first to support and urge it to its Completion. (a)

Signed at the End of the Consultation,

“ Warren Hastings,
John Macpherson,
John Stables.”

Read, from Book 84, already delivered in, the following Extract of a Consultation of the 13th October 1783, beginning at Page 719 of the same Book.

[“ Fort William, 13th October 1783.

Secret Dept.
Monday.

At a Council ; Present,
The Honourable Warren Hastings Esquire, Governor General, President ;
John Macpherson, }
and } Esquires.
John Stables, }
Mr. Wheler absent up the Country.

“ Mr. Macpherson.—The Charges which the Secretary has made out from the Records, against Mr. Richard Johnson, for his Conduct as Acting President at Lucknow, are in some Degree imperfect from the Want or Loss of one of the original Letters, which stated his Mismanagement. He has not availed himself of any Advantage by this Deficiency, but has avowed his Conduct relative to the principal Charge about the Ten Lacks, accusing * the Vizir's Minister, Hyder Beg Cawn, of the Arguments which he was said to have used with the Vizir to prevent him from transferring to the Company the Sum which he meant for the Governor General in that Donation. The original Letter of Complaint against Mr. Johnson is since found, and entered on the Records. The Court of Directors will determine whether Mr. Johnson's Arguments are sufficient to vindicate him in this important Transaction. As the Transaction was stated to me in September 1782, when Mr. Johnson was ordered to quit his Station, I considered it as equally injurious to the Wishes of the Governor General, and replete with Infidelity on the Part of Mr. Johnson to his Employers. It remains still to be cleared up between Mr. Johnson and Hyder Beg Khan. I had understood at the Time, that the Ten Lacks were in Bills, and not a mere Offer to pay such a Sum from the future Revenues of the Country. § (“ If, in this Transaction, Mr. Johnson is supposed to “ have espoused the Interest of the Vizier against that of the Company, the first Charge of Oppression against the Vizier's Government, loses in Proportion on the Ground of its Evidence.”) (b) §

(Signed at the End of the Consultation)

“ Warren Hastings,
John Stables.”

Read, the following Extract of a Consultation of the 21st October 1783, beginning at Page 774 of the same Book.

“ Fort William, 21st October 1783.

“ At a Council ; Present,
The Honourable Warren Hastings, Governor General, President ;
John Macpherson, }
and } Esquires.
John Stables, }
Mr. Wheler absent up the Country.

“ The Governor General delivers in the following Observations on Mr. Johnson's Defence.
“ I am morally certain that Jaidads or Assets for Ten Lacks, either in Assignment of Land or in Bills, had been prepared, and were in the Charge or Possession of Mr. Middleton before Major

(a) Vide Appendix, N° CLXVI.

(b) Vide Appendix, N° CLXVII.

Palmer's Arrival, and left with Mr. Johnson on Mr. Middleton's Departure. This Sum was declaredly given for my Use, but never accepted by me. The only Advantage I made of the Offer was, to request the Nabob to transfer it, with the Obligation still resting with equal Weight upon my Gratitude for the original Destination of it, to the Company for the Relief of their pressing Necessities.

"The Rectitude of this Transaction depends essentially upon Principles which every Man feels and acknowledges in his own Breast, but can hardly be judged by the Test of any official Rule. It might, indeed, have added to the Company's Claims on the Nabob, but I am not sorry that Mr. Johnson chose to defeat my Intentions, since it would have added to the Nabob's Distresses, but with no immediate Relief to the Company. If, in his own Breast, he can view the secret Motives of this Transaction, and on their Testimony approve it, I also acquit him; as I do acquit him of the Charge on publick Ground. (a)

Signed at the End of the Consultation,

"Warren Hastings,
John Stables."

Read, a further Extract from the same Consultation, beginning at Page 778, of the same Book.

"Upon the Whole, though I have strictly delivered my Opinion on Mr. Johnson's Defence, I must add, that I think he has been sufficiently punished by the Deprivation of his Office, and by the Severity with which it was immediately effected. "Not to be worst, stands in some Rank of Praise." His Faults sink to mere Errors and Inadvertencies, when compared with those of his Principal; and are wholly lost in the Contrast with those of the present Resident." (b)

Read, a further Extract from the same Consultation, beginning at Page 769 of the same Book.

"The Governor General delivers in the following Minute on Mr. Middleton's Defence.

"I perceive that Mr. Middleton has alluded, as Mr. Johnson has also done, to certain unexplained Claims made on the Nabob Vizier by Major Palmer, amounting to 82 Lacks, of Rupees. As neither explain them, but speak of them as Points of undoubted Credit, I think it proper to declare my Doubts and Disbelief of them, and to assign my Reasons, as far as I can in remote Recollection, of the little which I have ever known concerning them. Ten Lacks of this Sum have been explained by me, to relate to a Provision to that Amount actually made; and, as I have ever understood, delivered to the President for its destined Appropriation." (c)

Minute from
the Governor
General.

Read, a further Extract from the same Consultation, beginning at Page 779 of the same Book.

"In Consequence of the Opinions delivered by the Governor General, and other Members of the Board, on the Defence made by Messrs. Middleton and Johnson against the Charges exhibited against them, the following Letters to the * were drawn up by the Secretary, and are applied * * Sic in Orig. by the Board." (d)

Read, also, a further Extract from the same Consultation, beginning at Page 780 of the same Book.

"To Mr. Richard Johnson.

"3d. The Board decline passing their Judgement upon the Issue of the Third Charge, but leave it in Reference to the Honourable the Court of Directors to decide upon your Reply to this Article." (e)

Read, from a Book already delivered in, the following Extract of a Consultation of the 10th November 1783.

"Fort William, 10th November 1783.

"At a Council; Present,
The Honourable Warren Hastings, Governor General, President;
Edward Wheler,
John M^rPherson, } Esquires.
and
John Stables,

Sec Dep.
Monday.
Bengal Secret
Council.

"The following Letters from Mr. Richard Johnson having been also received and circulated, the Minutes recorded after them were returned to the Secretary.

To the Honourable Warren Hastings, &c. &c.

"You have been pleased to declare me guilty of the 1st, 2d, 4th, 5th, and 6th Charges; not guilty of the 7th—and the Third you decline any Opinion upon, referring it to the Court of Directors, together with the Transaction with the Bankers.

(a) Vide Appendix, N^o CLXVIII.

(b) Vide Appendix, *ibid.*

(c) Vide Appendix, N^o CLXIX.

(d) Vide Appendix, *ibid.*

(e) Vide Appendix, *ibid.*

" It is probable that there can be no Evidence before the Court of Directors, beyond what is before your Honourable Board, to enable them to clear up what you cannot determine upon. By referring Part of my Case to them, my Fate again becomes in so far protracted to an eventual Issue of 18 Months; and as you have been pleased to declare me sufficiently punished by my Removal, this additional Sufferance would militate against such Declaration. Let me therefore solicit you to pass a determinate Opinion of Guilt or Acquittal upon these two Heads, as the Court of Directors in their Pursuit of Justice must be benefited by the Assistance of you * Sentiments given on the Spot so much nearer to the Impression and Conviction of local Evidence.

* Sic in Orig. " Further, as the Tendency of apparent Intentions in any Act is generally understood to go far in establishing the Criminality of that Act, it might * of Service to the Cause of Justice, if your Honourable Board would be pleased to go one Step further in the Explanation of your Opinion upon my Conduct, by adding to the whole of your Sentence a Declaration, whether the Acts which you fix upon me appear to have been effected with any Criminal Intentions against the Interests of my Employers, or whether they appear to have originated in an erroneous Judgment of the Orders I acted under, or, in short, whether they were stimulated by a malicious and wanton Exertion of misplaced Power, or a good Intention ignorantly pursued.

" I venture to crave this additional Opinion, not only to mark your explicit Sentiments upon my Conduct for the full Information of the Court of Directors, but also to serve in the Event of a favourable Decision as an Aid and Support to myself in soliciting your further Employment, in the Hope of being now indulgently deemed qualified to undertake such Duty in the general Business of the Service as the Honourable Board may be pleased to allot me.

" Fort William,
31st October 1783.

I have the Honour to be, &c. &c.

(Signed) R. Johnson."

Signed at the End of the Consultation,

" Warren Hastings,
Edward Wheler,
John Stables."

" To Edward Hay Esquire, Secretary.

" My Letter requests a Decision on the Third Charge, without Reference to the Court of Directors. Upon this Head, I find in the Governor General's Minute, the following Words: " I do acquit him (Mr. Johnson) of this Charge on publick Ground." Upon the same Subject, Mr. Wheler says, " Mr. Johnson, in Point of official Regularity, may appear correct in admitting the old Claim upon the Vizier in Preference to the new." These two favourable Extracts, if they are not the unmix'd Tendency of the Resolution of the Board, yet they shew Ground for not leaving the Charge to the distant Decision of the Court of Directors, which is the whole Aim of my Request on this Article. (a)

(Signed at the End of the Letter)

" R. Johnson."

Read, a further Extract from the same Book, and the same Consultation, as follows:

" Fort William, 10th November 1783.

Secret Dep.
Monday.
Bengal Secret
Council.

At a Council; Present,
The Honourable Warren Hastings, Governor General, President;
" Edward Wheler,
John M^rPherson,
and
John Stables, } Esquires.

" The following Letter was in Consequence written to Mr. Johnson, by the Secretary.

" To Mr. R. Johnson.

" Sir,

" I am directed by the Honourable the Governor General and Council to acknowledge their Receipt of your Letter of the 31st Ult. in Answer to which, as well as to your Letter to me of the 4th Inst. I am ordered to acquaint you, that the Reference in your Case to the Honourable the Court of Directors, being intended to be made upon those general Principles by which all the Acts and Proceedings of this Government are referred in Course to them for their final Approbation and Confirmation, it stands as follows in the Board's General Letter to the Court of Directors 1782 Numbudda.

" For the Particulars of the Charges which were prepared against Messrs. Middleton and Johnson for their Conduct at Lucnow, together with their respective Defences, and our several Opinions upon them, we beg to refer you to the Consultations noted in the Margin." (b)

" I am,

" Council Chamber,
10th Nov. 1783.

(Signed) " Sir, &c.
" E. Hay, Pub. Secr."

(a) Vide Appendix, N^o CLXX.

(b) Vide Appendix, ibid.

The Managers for the Commons stated, they would next shew the Appointment of Mr. Johnson to one of the most important Embassies connected with the British Government.

Read, from Book 282, the following Extract of a Consultation of the 20th of January 1784, beginning at Page 258 of the same Book.

“ Fort William, 20th January 1784.

“ At a Council; Present,
The Honourable Warren Hastings, Governor General, President;
Edward Wheeler, } Esquires.
John Stables, }
Mr. Macpherson absent.

“ The Governor General.—Having long since apologized to the Nabob Nizam Ally Cawn for delaying to depute a Public Minister to his Court, since the Receipt of his Acquiescence, most liberally and cheerfully given to the proposed Appointment of Mr. R. J. Sullivan to that Office, and the present Crisis of our Affairs rendering it essentially necessary to have * Representative of this Government at the Court of a Prince who has lately acquired an Ascendant over all the principal States of Deckan, for the Purpose of guarding against and counteracting any Intrigues to the Prejudice of our Interests, and keeping his Mind steady to the favourable Disposition which he has hitherto professed and manifested towards us, but which is liable to be shaken by the apparent Neglect which may be construed from a longer Suspension of this Measure, I am, by these Considerations, induced to bring this Subject again at this Time before the Board; and having judged Mr. Richard Johnson to be duly qualified for so important a Trust, I recommend that he be appointed thereto, with the same fixt Salary and Allowances as are drawn by other Ministers, and that his contingent Bills be passed in the same Manner as those of Mr. Hollond. * Sic in Orig.

“ Agreed, That Mr. Richard Johnson be appointed Resident on the Part of this Government at the Court of the Nabob Nizam Ally Cawn, with the same fixt Salary and Allowances as are drawn by other Ministers, and that his contingent Bills be passed in the same Manner as those of Mr. Hollond were. (a)

(Signed at the End of the Consultation)

“ Warren Hastings,
Edw^d Wheeler,
John Stables.”

The Managers for the Commons next desired, that a Letter from the Vizier might be read.

Book 285. N^o 57.

“ From the Vizier. Received 23d August 1782.

Par. 57. “ Major William Palmer and Mr. Davy have made known to me your Orders, respecting my Authority in the Country, with great Regard and Consideration, and have made me grateful * for your Favours. They asked for a Paper of Requests, which I accordingly * Sic in Orig wrote and gave to them; they afterwards spoke about Ten Lacks of Rupees for the Expences of the Sircar of the Company; next, they spoke about Four Regiments, that I should employ them from the Company's Troops in the Subundys of my Country. Respecting these Two Articles, although I have no Power, yet, as Major William Palmer repeatedly said, that this would be giving Pleasure to the Nawab (meaning your Highness), being remediless, in Obedience to your Will I wrote a Letter to Major Palmer in the Manner I agreed to it, from which you will become acquainted with it. They now say, that as important Matters are in Hand, for the Expences of the Company's Sircar, I must give Sixty Lacks of Rupees by way of Loan, that either I must borrow it from the Merchants, and from my Relations, and take a Bond, or give Assignments on the Country. After Two Years, when this Matter shall have been settled, that Money shall be repaid; my Country and Property belong to your Highness, to the utmost of my Life. I am not backward in the Company's Affairs and your Highness's Pleasure. By the Blessing of God you are wise in the Times. The full Particulars of my Country are not concealed from you. How shall I make known my Situation? From the Time that these Propositions have been made, all Judgment has left my Mind. After the Death of the deceased Nawab, on Account of the Greatness of the Expences of the Army of the Sircar of the Company, which was here, I supported myself in a Manner that I cannot describe.

I never found Resource equal to the necessary Expences: Every Year, by taking from the Ministers, and selling the Articles of my Karkhanna, I, with great Difficulties, transacted the Business; but I could not take care of my Dependants; so that some of my Brothers, from their Difficulties, arose and departed; and the People of the Khurd Mahault of the late Nawab,

(a) Vide Appendix, N^o CLXXI

who are all my Mothers, from their Distresses, are reduced to Poverty, and involved in Difficulties.—No Man of Rank is deficient in the Care of his Dependants, in proportion to his Ability.

Notwithstanding the Existence of these Distresses, I am thankful and ready to satisfy you. But never was the Money of the Tuncas for the Brigades, &c. received without a Balance from the Jaidad of the Company; and yet the Gentlemen, to the utmost of their Abilities, were guilty of no Neglect in taking Assignments, and collecting the Money. This Year, that you, from your Goodness, having discovered the State of my Distresses, recalled the Brigade and Battalions, and granted me an Engagement that all Matters should be as in the Time of the deceased Nawab, I took from my Mother, and discharged the Balances to the Company's Sircar as they appeared from my Bond. Many Years are required to relieve me from the former Distresses. I know, that as you, from real Affection, had released me from the Weight of Expences, I should have some small Relief from the necessary Expences at this Time these Propositions are brought forward. My Brother and Companions, from the Resumptions of the Jagheers, are reduced to great Affliction and Distress; from the Mahajens of this Town should I request the Loan of One or Two Lacks of Rupees, they cannot give it, having no Resources. I have never been deficient in the Friendship of the Company, and Obedience to your Pleasure. I have looked upon my Difficulties as a Cause of Satisfaction, and am always ready to execute your Commands. In these Propositions I am astonished and confounded at my bad Fortune, that I should have such a compassionate Friend as your Highness, and be involved in such a Situation. What Answer can I give, and how can I support my Life?

"Difficulty, with your Favour, becomes easy; what is easy, by your Neglect becomes difficult. Night and Day pass in Grief and Affliction. Either make loose my Difficulties, or else call me to your Presence. I will reside with your Highness, and whenever you shall give me my Dismissal, with the Favours and Affection which belong to you, I shall return to my Country, and be released from continual Afflictions."

"Enclosures.

"N^o 1. Copy of a Letter from the Nawab Vizier to Major William Palmer, dated 19th Shabaun.

"On the Subject of Ten Lacks of Rupees, you repeatedly have said, that the Nawab Governor's Pleasure is, that I should give them for the Expences of the Company's Sircar. The Nawab Governor's Will is binding upon me. I can make no Excuses. Take Ten Lacks of Rupees for the Expences of the Company's Sircar. But you have said, that if I am willing to assist the Affairs of the Company's Sircar, you will fulfil my Requests agreeably to the Paper, as the Nawab Governor's Permission is arrived. With respect to the Two Points of which you have spoken, I agree to both of them, and will give for the Expences of the Company's Sircar Ten Lacks of Rupees this Year, and Six Lacks of Rupees yearly, in lieu of Regiments, upon Condition that I obtain my Requests and Authority. It is proper that you adjust my Requests, agreeably to the Paper upon which the Nawab Governor has given Orders, and restore me to the Management of every Concern."

"N^o 2. Copy of a Letter from the same to the same, dated 30th Shabaun.

"In Answer to your Demand of a Loan of Sixty Lacks of Rupees, I represented and explained to you, with the greatest Reverence, the full Particulars of my Inabilities; that in Cases where I have Power and Ability, I am never negligent, to the Extent of my Life, in promoting the Affairs of the Company's Sircar, and in obeying the Nawab Governor's Orders. You, in my Presence, spoke to me, and sent a Message to me, that if I did not give Sixty Lacks of Rupees, by Way of Loan, the Nawab Governor would be highly displeased, and would quit my Friendship, and would also recall the Old Brigade which is here; and beside, the * whatever may be the Nawab Governor's Will you did not know. Why did not you give me prior Information that it would proceed to this Extremity?

* See in Orig.

"My Friend! the Friendship of the Company, the Nawab Governor, and the Gentlemen of the Council, is fixed in my Heart, and I have remained so inattentive and forgetful, from a Dependence on their Friendship and Satisfaction, that I have nothing left to me but my Name; and every Thing else belongs to them.

"To the Glorious and Omnipotent God it is known, what Distresses having brought upon myself, in the Obedience to his Pleasure, I have supported Life. Notwithstanding all this, you make these Kinds of Propositions and Messages on Behalf of the Governor. I had never an Idea that the Nawab Governor would behave in such a Manner towards me, as to withdraw his Favour and Friendship; if it is really and fully known to you, that the Nawab's Will is to cease the Connection, I will go myself to his Presence, and explain my Situation. Had I any Resources, I would not make any Delay and Excuses. If the Nawab will be favourable, it is well; if not, I will remain there. As I, conformably to the Nawab's Letter, consider what you say to have been spoken by the Nawab, having represented all my Particulars, when you answer that in future, there will be no Blame on you for the Disgrace of this Place; therefore, being remediless,

less, I write this much, that my Friendships for the Company, the Nawab, and the Gentlemen of Council, are not such as to be thrown to the Wind without a Cause; and to the End of my Life I cannot agree to it; the Nature of the Governor's First Message of Friendship was such: At this Time, Propositions to this Effect confound me greatly. In short, whatever you know of the Nawab's Intentions, write to me explicitly; as in this Case my remaining here is impossible.

The Managers for the Commons desired to refer the House to Page 799 of the printed Minutes, to shew that the said Letters and Complaints of the Vizier, and his Accounts of those Sums of Money, were suppressed, and did not appear upon the Consultations till the Month of February 1785.

Then Mr. WILLIAM WRIGHT was again called in, and examined as follows:

Q. Have you made out any Account of the Net Receipts into the Treasury of Bengal, from the Landed Revenue, of the Four Years preceding the Year 1780, and the Four Years subsequent to the Year 1780?

A. I have such an Account in my Hand—from 1776 to 1780, and from 1781 to 1785.

Q. Did you make out that Account from the Books of the East India Company?

A. I did; from the Consultations of the Revenue Department of May and July 1785.

Q. Does any Difference appear between the Total Net Receipts of the First Four Years, and the Total Net Receipts of the last Four Years?

A. In the First Four Years, the Total Net Receipt was Seven Crore Eighty-one Lacks and odd Rupees; and in the last Four Years, Seven Crore Sixty-two Lacks and odd Rupees.—Deficiency in the last Four Years, Eighteen Lacks.

Q. Have you any Account of the Charges of the Collections of the Bengal Revenue in those Years?

A. I have. In the First Four Years, the Charges of Collection amounted to Two Crore Sixteen Lacks; in the last Four Years, to Two Crore and Seventy-one Lacks: Increase in the last Four Years, Fifty-five Lacks.

Q. Then it appears, that in the last Four Years there was a Diminution in the Receipt of Eighteen Lacks, and in the same Four Years an Increase of Expence Fifty-five Lacks?

A. The Diminution of the Receipt is after the Deduction of those Charges.

Q. Your Account is an Account of the Net Receipts into the Treasury, after deducting all Charges?

A. It is.

Q. Is there a Difference in the last Four Years of Eighteen Lacks?

A. It is so.

Then the Witness delivered in Two Papers—the same were read, and are as follow:

B E N G A L R E V E N U E S.										
Current Net Collections.					Balances collected.					Total.
1776—7	-	-	-	187,15,865	-	-	-	13,94,769	-	201,10,634
7—8	-	-	-	170,49,710	-	-	-	20,78,451	-	191,28,161
8—9	-	-	-	173,95,871	-	-	-	19,19,747	-	193,15,618
9—80	-	-	-	180,21,226	-	-	-	15,66,322	-	195,87,548
				<u>R' 711,82,672</u>					<u>69,59,289</u>	<u>781,41,961</u>
1781—2	-	-	-	189,55,004	-	-	-	6,23,989	-	195,78,993
2—3	-	-	-	188,24,855	-	-	-	6,50,462	-	194,75,317
3—4	-	-	-	181,93,492	-	-	-	4,49,916	-	186,43,408
4—5	-	-	-	176,68,646	-	-	-	8,91,702	-	185,60,348
				<u>R' 736,41,997</u>					<u>26,16,069</u>	<u>762,58,066</u>
Less in last Four Years										<u>18,83,895</u>
:										
1777 to 1780	-	-	-	-	-	-	-	Total	-	580,31,327
1781 to 1784	-	-	-	-	-	-	-	-	-	576,97,718
Less in last Three Years										<u>3,33,609</u>

(a) Vide Appendix, N° CLXXII.

	Current Net Collections.			Balances collected.			Total.
1774—5	-	-	195,69,610	-	-	17,40,399	213,10,009
5—6	-	-	195,25,825	-	-	12,18,176	207,44,001
6—7	-	-	187,15,865	-	-	13,94,769	201,10,634
			<u>578,11,300</u>			<u>43,53,344</u>	<u>621,64,644</u>
Total in 1781 to 1784	-	-	-	-	-	-	<u>576,97,718</u>
						Lefs in laft Three Years	<u>44,66,926</u>

East India Houfe,
2d June 1790.

Errors excepted.

W^m Wright,
Auditor of Indian Accounts.

BENGAL CHARGES COLLECTION.

1776—7	-	-	-	-	-	R ¹ 49,05,739
7—8	-	-	-	-	-	53,80,818
8—9	-	-	-	-	-	56,45,947
9—80	-	-	-	-	-	56,80,637
						<u>R¹ 216,13,141</u>
1781—2	-	-	-	-	-	66,55,869
2—3	-	-	-	-	-	59,63,661
3—4	-	-	-	-	-	71,29,094
4—5	-	-	-	-	-	73,73,738
						<u>R¹ 271,22,362</u>
Increase in laft Four Years	-	-	-	-	-	<u>R¹ 55,09,221</u>

East India Houfe,
2d June 1790.

Errors excepted.

W^m Wright,
Auditor of Indian Accounts.

(Gross examined.)

Q. Whether you have examined what was the comparative Amount of the gross Collections in the First Four Years, and in the other Four Years? Was more collected in the last Four Years than in the former?

A. I believe that has already been stated in Evidence. The Increase of the Gross Collections in the last Three Years amount to 33 Lacks.

Q. (by a Lord.) That is the Gross Revenue?

A. No; the Net Collection of the Revenue of the current Year.

Q. (by the Managers.) In that Account is there an Account of the collected Balance; aye or no?

A. Certainly not.

Q. Then from that Account the total Receipts into the Company's Treasury from the Bengal Revenue does not appear?

A. No; it does not.

Q. Do the total Net Receipts appear in the Account you have now given?

A. They do.

Q. (by Counsel.) Whether it appears from the Account you have delivered in, what were the Particulars in which the Expenditures exceeded the Expenditures of the former Period—in what Particulars?

A. I have not the Particulars of the Charges here, but I believe they are already in Evidence.

Q. (by a Lord.) Is it so, that they are in Evidence?

A. It is so certainly.

Q. (by a Lord.) You do not know, nor have in your Hand, any Account of the Articles of Expence in collecting the Revenue of the last Year?

A. No; I have not. The Particulars of the Charges here, are printed, I believe, in the Evidence.

The

The Managers for the Commons stated, that the Particulars of the Charges now under Enquiry, would be found in Page 1194 of the printed Minutes—the Account of one Year, and the Account of the Particulars of the Charges for all the other Years, are to be found in the Appendix.

Q. (by a Lord.) Then your Sum Total is made up of those Particulars which are printed, either in the Evidence, or the Appendix?

A. Yes; it is so.

The Counsel for the Defendant desired that the Particulars of the Years 1784—5 might be printed, in the same Manner as the Particulars of all the other Years.

The same was ordered. (a)

Then the Witness was asked,

Q. What Remittances Mr. Hastings made, distinguishing each Year, through the Cash of the Company, to England upon his own Account, beginning in the Year 1772?

A. I have such an Account in my Hand.

The Witness read from a Paper, which he afterwards delivered in; the same was read, and is as follows.

“ An Account of Remittances made by Mr. Hastings, through the Company's Cash, since April 1772.

				C. R.	£.
Dec. 1772.	Paid into the Bengal Treasury for Bills on the Court	74,264	at 2 s 2 1/2 d.		8,200
May 1774 to April 1775,	Paid into ditto, for ditto	98,654	at ditto		10,893
1775 — 1776	ditto ditto	1,80,480	at 2 s. 1 d.		18,800
1776 — 1777	ditto ditto	1,96,800	at ditto		20,500
1777 — 1778	ditto ditto	1,08,000	at ditto		11,250
1778 — 1779	ditto ditto	1,43,000			
1779 — 1780	ditto to be drawn from China at 5 s. 2 d. the Dollar	81,600	at 2 s.		14,880
	ditto ditto	40,000	at 2 s. 1 d.		8,160
1780 — 1781	ditto ditto	43,000	ditto		4,167
	ditto ditto, Account the Remittance Loan, at 4 per Cent. 1,66,000, at 2 s. which, with Interest, amounted in Bills to				4,479
1783 — 1784,	Paid into the Bengal Treasury for Bills to be granted February 1785, for which, with Interest, Bills were drawn for 2,02,000				18,610
1784 — 1785,	Paid into ditto for ditto 58,000, for which Bills were drawn for				22,319
	Paid into ditto, for Bills on the Court, 13,450 at 2 s. 1 d.				5,245
Jan. 1776,	Paid into the Treasury at Canton, for Bills on the Court, in Favour of Mess. Woodman, Waller, and Sykes, Account the Honourable Warren Hastings				14,010
					19,366

“ Amount Value of Diamonds remitted to Europe, by or on Account of Warren Hastings, from 1772.

1773 — 1774					Rupees 1,44,114
1774 — 1775					2,71,140
1775 — 1776					50,000
1779 — 1780					30,000
1781 — 1782					24,632
1784 — 1785					12,500
1785 — 1786					46,400
					Rupees 5,78,786

Valued at 2 s. are £. 57,878

£. 221,340

17,417

£. 238,757

(a) Vide Appendix, N° CLXXIII.

Then

Then the Witness was asked,

Q. Have you any Account of the Bonds outstanding in Mr. Hastings's Name ?

A. I have not.

Q. Are there any other ways of Remittance from India but through the Company ?

A. Not that I know of: I have heard that many Persons in India have remitted their Fortunes through foreign Channels.

Q. (by Counsel.) Whether the Officers at the Settlement at Calcutta have not an Annual Privilege of remitting; whether it is not permitted to all the Company's Servants at Calcutta ?

A. They had till very lately, I believe till the Year 1786.

Q. (by a Lord.) A Privilege to a certain Extent ?

A. Yes.

Q. Does not a very considerable Share of the Privilege of remitting fall to the Governor General ?

A. Certainly.

Q. Have you any Means of knowing whether the Sums you have stated to be remitted were Mr. Hastings's own Property, or the Property of other Persons remitted through his Name ?

A. The Money appears to have been paid in by Mr. Hastings himself, or in his Name.

Q. Have you any Means of knowing whose Property it was, or on whose Account it was remitted ?

A. No more than I have stated.

Q. To whom are these Bills made payable ?

A. To Messrs. Woodman, Waller, and Sykes—except to the Amount of £18,000.

Then JOHN SHORE Esq. was called in, and being sworn, was examined as follows :

Q. Inform the House whether you have seen a Minute inserted in the Revenue Consultations of the 18th of May 1785, purporting to convey a Plan of yours for the Administration of the Revenue ?

A. I believe I have seen the Paper to which the Honourable Manager alludes; I suppose it is the same that he shewed me.

Q. Whether you gave Mr. M^cPherson such a Paper, and whether it is your Writing ?

A. I certainly did give Mr. M^cPherson such a Paper; I believe it to be the same as what I then wrote, allowing for the Errors of the Transcriber.

Q. Whether when you wrote that Paper, you meant to deliver your real Sentiments to Mr. M^cPherson ?

A. I certainly did.

The Managers for the Commons desired the Paper might be read.

The Counsel for the Defendant consenting to the Paper being read, the same was read, and is as follows.

“ Fort William, the 18th May 1785.

“ At a Council; Present,

The Honourable John Macpherson Esquire, Governor General, President;
and John Stables Esquire.

The Honourable Charles Stuart indisposed.

Mr. Shore's
Remarks ac-
companying
Governor Ge-
neral's Mi-
nute.

“ Remarks on the Mode of administering Justice to the Natives in Bengal, and on the Collection of the Revenue.

“ 1st. The Company are in Possession of a very extensive Territorial Jurisdiction in Bengal, equally fertile, populous, and advantageous to the British Nation, for the large Returns it makes in Revenues and Manufactures.

“ It becomes a Question, What System of Government can be best adopted for the Management of this Territory? This cannot be answered till several leading Facts have been ascertained.

“ Bengal is inhabited by various Sects, amongst which that of the Hindoos may be esteemed to make up Eight Tenths of the Population: They are the Aborigines of the Country, and by Nature and Religion are peaceable and inoffensive.

“ Their National Character is the Compound of their Characters as Individuals: An obstinate Attachment to all their Customs and Prejudices, whether superstitious, ceremonious, or traditional, may be deemed a general Characteristic of the Hindoos.

“ Their Manners partake of the Nature of the Government under which they have ever lived: And this has been arbitrary or despotic; the Natives are timid and servile. As Individuals, they

are insolent to their Inferiors; to their Superiors, generally speaking, submissive; though they are to them also guilty of Insolence, where they can be so with Impunity.

" Speculation they seldom indulge in any Transactions; the present Hour is what they alone look to the Advantage of, which they will not forego for greater certain Prospects, if remote. They are as little moved by Curiosity.

" Individuals have little Sense of Honour; and the Nation is wholly void of Publick Virtue. They make not the least Scruple of lying, where Falschhood is attended with Advantage; yet both Hindoos and Mahomedans continually speak of their Credit and Reputation, by which they mean little more than the Appearance they make to the World. Of the Two, the latter are more tenacious of this; the same Man that will submit to the greatest Indignities exercised upon him in private, will be clamorous at an Affront put upon him before his Servants or the Publick:

" Cunning and Artifice is Wisdom with them; to deceive and overreach is to acquire the Character of a Wise Man.

" The greatest Disgrace they can suffer is to lose their Cast, or, as we say, to be excommunicated. This Punishment is inflicted for the Breach of the Injunctions of their Religion; or, what is the same, of the Ordinances of their Priests. To lie, steal, plunder, ravish, or murder, are not deemed sufficient Crimes to merit Expulsion from Society.

" With a Hindoo, all is centered in himself; his own Interest is his Guide; Ambition is a secondary Quality with him; and the Love of Money is the Source of this Passion.

" The Advantage they derive over Europeans, is by practising those Arts of Meanness which an European detects. A Man must be long acquainted with them, before he can believe them capable of that barefaced Falschhood, servile Adulation, and deliberate Deception, which they daily practise.

" To our Government they have little Attachment; yet it is certain that, in general, Property has been more secure, and Individuals less oppressed, than under the Despotism of their Nabobs. I assert this with all the Confidence Conviction inspires. I believe them to be as much attached to the English Government as they would be to any other; but if another Dominion could establish itself, they would embrace * with Indifference. The Reason of this must be sought for in the Consequences of a despotic Authority; and by tracing them, the Characters of the Natives will be easily developed and understood; in them will be seen the Source of Timidity, Adulation, and Deceit, which prevail.

* Sic in Orig.

" It is very obvious, that within the last Ten or Twelve Years, a considerable Alteration has taken Place in the Manners of the People. This Alteration is the natural Consequence of a greater Degree of Intimacy with Europeans, than they formerly were admitted to. Those Parts of our Character which first drew their Attention, were Bravery, Clemency, and Good Faith. They have since found that we are not wholly destitute of Weaknesses and Vices; and that Europeans, like all others, are open to Temptation: The Respect they entertained for us as Individuals, or as a Nation, is diminished; and they now consider themselves upon a more equal Footing.

" The Introduction of the Supreme Court of Judicature has largely contributed to the Elevation of the Natives, and to the Depression of Europeans. This System, which was meant for the Relief of the Natives, has, in very few Respects, answered that Object; in many Instances it has been a heavy Grievance to them; and the Natives themselves have found out the Art of making the Powers of the Court the Means and Instrument of forwarding their own Views of Interest and Oppression, of eluding the Power of the Government, and of weakening its Authority, by engaging the Two Tribunals in Contests with each other.

" It is in vain that we search for Men of enlightened Understanding, deep Reasoning, and Reflection, amongst the Natives. The Education of the Hindoos is confined to their being taught their own Language: The Mahomedans are little better instructed; the Acquisition of a few moral * political Maxims, which in Practice they neglect, is all they know of the Art of Government; if Exceptions can be found, they are very rare.

* Sic in Orig.

" Such are the Inhabitants of Bengal, over whom the European Jurisdiction is established: Prudence may, no doubt, render it permanent, but Prudence and Policy alone can effect this; from a Comparison of their Numbers with ourselves, it must be evident to all, that the Power by which we rule is less real than ideal.

" The grand Object of our Government in this Country should be to conciliate the Minds of the Natives: this may be effected by allowing them the free Enjoyment of all their Prejudices, and by securing to them their Rights and Property. The Form of it should, I think, be despotic, and the Natives should still be retained in those Habits of Submission which are natural and familiar to them; to this they will make no Objection, whilst they are treated with Humanity and Justice.

" Between the Head Tribunal of Government and its Subjects, I would preserve a great and respectable Distance; nor suffer the Persons of the Members of the State to be treated with a Familiarity which induces Contempt.

" In Fact, the Supreme Council in Bengal should be a Council of Comptrol merely to superintend the Conduct of all the other Departments of the State, and oblige them to do their Duty. As a Government, or as Individuals, they should not interfere in the executive Duties of subordinate Stations; but be attentive only to correct their Errors, reform their Abuses, or punish their

their Injustice; they should prescribe Rules of Conduct, and leave the Execution of them to others.

“ Their Business upon this Scale would be limited, simple, and easy: But where the Members of the State, or the collective Body of it, attend to all Applications, interfere in all Appointments, and undertake Business of a trifling Nature, they can neither act with Propriety as an Office of Comptrol, nor as an Office of Dispatch, whilst they leave it in the Power of the lowest to judge of their Capacities and Intentions.

“ Upon this Principle, all the subordinate Offices of Government should also be formed: The Gradation from the first to the last should be easy and connected; and all Business in its Progress should observe these Gradations: And we must be careful not to suffer the Existence of Two Authorities that clash with the Operations and counteract the Influence of each other.

“ These are the general Outlines; in the Application of them we are to consider the Three great Departments of the Government; viz. The Administration of Justice, the Management of the Revenues, and the Commercial Interests—The Political Department relates to other Objects, so wide and extensive, that it must be considered separately.

“ Several Systems have been adopted for the Management of the Revenues, and the Administration of Justice; at one Period they have been united, at another they have been separated.

“ Till the Year 1770 the Revenues, with a few partial Exceptions, were under the Comptrol of the Natives; but it was then deemed more advantageous to the Company to employ their Servants. In consequence of this Determination, Europeans were appointed as Supervisors, and the Comptrol of the Districts, in Matters of Revenue, as well as in what related to the Administration of Justice, was vested in them.

“ Two Councils of Comptrol were established; One at Moorshedabad, and One at Patna; to these the Collectors were subordinate, and acted under their Orders and Authority.

“ These Councils were, in their Turn, subordinate to the Council at the Presidency, composed of the Members of the Government themselves.

“ The Khalsa, or Head Revenue Court of the Country, was at that Period fixed at Moorshedabad; but it was thought proper to remove it to Calcutta, and the Council at Fort William took upon themselves the immediate Direction and Comptrol of the Collectors; in consequence of which the Two Councils at Moorshedabad and Patna were abolished.

“ In 1774 the Collectors were recalled, and the Districts were formed into Divisions, and Provincial Councils of Revenue appointed for each; their Stations were at Calcutta, Burdwan, Patna, Dacca, Moorshedabad, and Dinagapore. The Administration of Civil Justice was vested in the Council at large, but held in Rotation by One of the Members.

“ In the Year 1780 the Administration of Justice was separated from the Comptrol over the Revenues, and vested in Persons, neither connected with the Revenue Department, nor subordinate to it.

“ In 1781 the Plan was extended, and the Number of the Courts of Adawluts encreased; and in the Beginning of the same Year the present System for the Management of the Revenue took Place.

“ To all these Plans, excepting the First, very solid Objections may be made. In proposing the System which appears to me the simplest and best, I shall give Attention to them.

The following are the Outlines of the Plan.

“ 1st. That in the Two Departments of the Administration of Justice in Civil Cases, and the Management and Comptrol of the Revenues, the Servants of the Company should be employed.

“ 2d. That the Duties of these Two Departments be vested in the same Persons.

“ 3d. That for this Purpose, Company's Servants, under the Denomination of Superintendants, be appointed to the different Districts.

Article 1st.

Remarks.

“ After the Character which has been given of the Natives, it is needless to add, that I think them ill calculated for these important Trusts. I might appeal to every European who has had Opportunities of seeing the Natives in Office, in Support of my Opinion.

“ The general System of Affairs in Bengal is now wholly different from what it was Ten Years ago: The Scale of Connections and Interests is greatly extended, and English Forms of Policy and Law are introduced. The Natives no longer look upon One of their own Country and Sect as their Supreme Head, but to Europeans; nor can they act, as formerly, without our Advice and Assistance.

“ It is the Part of a wise Government to provide against all Contingencies: We ought not therefore to rely upon the peaceable Disposition of the Natives, or on a supposed Attachment to us; but establish such a Comptrol in all Parts of the Country, that in case of a Foreign Invasion by an European Power, or of the Inroads of an Eastern Enemy, or the Event of Rebellion in any of our Provinces, the Payment of the Revenues may not be suspended, illicit Correspondence or dangerous Confederacies may be checked, and the Contagion of Rebellion shifted*.

* See in Orig.

“ That the Servants of the Company are qualified for the Task I propose to allot to them, I may venture to pronounce. The Collection of the Revenues is in itself simple; and if it is now attended with particular Embarrassments, they arise from the System which has been established, or from other

other accidental Causes : Common Sense, a competent Knowledge of the Language, Application, and Rectitude of Intention, are all the Qualities required either for this, or in the Distribution of Justice. It is the Part of the Comptrolling Power to retain every Man in his Duty, and prevent the Abuse of Authority.

“ An Englishman cannot descend to those little Practices of Oppression or Extortion so familiar to the Natives; his Mind revolts at the Idea of them : And admitting even that some are, by Habit, Connexions, or Necessity, become depraved, there is, after all, in every Breast a Sense of Honour and Virtue that recoils from the low vicious Arts of a Native of Bengal.

“ In reverting to the Period when this System was established, I cannot recollect any Objections against it; some might be drawn from the personal Characters of the Individuals employed; but those can no more be urged against the Plan itself, than the Vices of the Priests can be adduced to prove the Christian Religion wrong. If a Government will suffer Crimes and Vices to go unpunished, no System can be adopted that will answer any good Purpose.

“ Article 2d.

“ People long accustomed to a despotic Authority should only look to One Master. It is impossible to draw a Line between the Revenue and Judicial Departments in such a Manner as to prevent their clashing; and in this Case, either the Revenues must suffer, or the Administration of Justice be suspended. The present Regulations define the Objects of the Two several Jurisdictions with Clearness and Precision; yet they clash in Practice : Complaints are so blended, that it is often impossible to determine to which Tribunal they belong; and that there has not been more Confusion than has actually happened, is owing to the Discretion of those who have been entrusted with the Administration of Justice. Remarks.

“ It may be possible in the Course of Time to induce the Natives to pay their Rents with Regularity, and without Compulsion; but this is not the Case at present. If any Force is offered, a Complaint is made in a Court of Justice, and whether true or false, a temporary Protection is given to the Complainant, who is released from the Demands upon him : To realize them afterwards is no easy Matter.

“ In all Demands for Revenues, or in Summonses to cause the Attendance of Parties at the Adaw-luts, Peons are employed, and very often the Peons of the Two Tribunals meet at the House of the same Man, where the Property of his Person is contested, and he is obliged to pay both Parties.

“ In those Districts, such as Boglepore, &c. where the Two Jurisdictions are vested in the same Person, these Inconveniences do not arise : The Duties of the Two Departments, though united in the same Person, are separated in Practice; and this may still be done.

“ If the present System should continue, it will be necessary to secure the Regulations for the Administration of Justice : In general they are very proper, but some few Alterations will be necessary; and to reduce them to the Understandings of the People, they require to be simplified.

“ It has been the Fate of this Government to form good Regulations, but not to enforce them; and this gave Room to those Objections, which were made against the Powers of the Courts of Revenue and Justice being exercised by the same Persons; the Error was not in the Institution, but in the Neglect of Duty.

“ If any solid Arguments can be urged on the other Side, it is, that the Business of either Department will be found sufficient to occupy the whole Time and Attention of one Man. It is certain he will not have much Leisure; but I am convinced may nevertheless perform the Duties of both Offices to the Satisfaction of himself and his Superiors, by a well-regulated Method and proper Attention.

“ Article 3d.

“ In the Remarks on the First Article, one great Advantage of this System has been pointed out; others are not wanting. Remarks.

“ In the actual Collection of the Revenues, nothing is more necessary than to give immediate Attention to all Complaints, which are preferred daily without Number, and dispatch them in a summary Manner. This cannot be done where the Comptrol is remote.

“ In every Pergunnah throughout Bengal, there are some distinct Usages which cannot be clearly known at a Distance; yet, in all Complaints of Oppression or Extortion, these must be known before a Decision can be pronounced. But to learn at Calcutta the particular Customs of a District of Radshahy or Dacca, is almost impossible; and considering the Channels through which an Explanation must pass, and through which the Complaint is made, any Colouring may be given to it, and Oppression and Extortion, to the Ruin of a District, may be practised with Impunity.

“ This is a continual Source of Embarrassment to the Committee of Revenue in Calcutta. One Object of their Institution is, to bring the Revenues without Agency to the Presidency; and all local Comptrol is removed from over the Renters who pay at Calcutta, or what is called Huzzoory; when Complaints are made against them, it is almost impossible to discriminate Truth from Falshood; and to prevent a Failure in the Revenues, it is found necessary in all doubtful Cases to support the Farmer; a Circumstance which may confirm the most cruel Acts of Oppression.

" The real State of any District cannot be known by the Committee ; a Farmer or Zemindar may plead, that an Inundation has ruined him, or that his Country is a Desert from Want of Rain : An Aumeen is sent to examine the Complaint ; he returns with an exaggerated Account of Losses, proved in Volumes of intricate Accounts, which the Committee have no Time to read, and for which the Aumeen is well paid ; possibly, however, the whole Account is false. Suppose no Aumeen is employed, and the Renter is held to the Tenor of his Engagements, the Loss, if real, must occasion his Ruin, unless his Assessment is very moderate indeed.

" I may venture to pronounce, that the real State of the Districts is now less known, and the Revenues less understood, than in 1774. Since the Natives have had the Disposal of Accounts, since they have been introduced as Agents, and trusted with Authority, Intricacy and Confusion have taken Place ; the Records and Accounts which have been compiled are numerous ; yet, when any particular Account is wanted, it cannot be found. It is the Business of all, from the Ryott to the Dewan, to conceal and deceive ; the simplest Matter * of Fact are designedly covered with a Veil, through which no human Understanding can penetrate.

" With respect to the present Committee of Revenue, it is morally impossible for them to execute the Business they are entrusted with ; they are vested with a general Comptrol, and they have an executive Authority, larger than ever was before given to any Board or Body of Men ; they may and must get through the Business ; but to pretend to assert that they really execute it, would be Folly and Falsehood.

" The grand Object of the Natives is to acquire independant Comptrol ; and for many Years they have pursued this with wonderful Art. The Farmers and Zemindars under the Committee prosecute the same Plan, and have ready Objections to any Thing that has the least Appearance of Restriction ; all Comptrol removed, they can plunder as they please.

" The Committee must have a Dewan, or executive Officer, call him by what Name you please. This Man, in Fact, has all the Revenue paid at the Presidency at his Disposal ; and can, if he has any Abilities, bring all the Renters under Contribution. It is little Advantage to restrain the Committee themselves from Bribery or Corruption, when their executive Officer has the Power of practising both undetected.

" To display the Arts employed by a Native on such Occasions would fill a Volume. He discovers the secret Resources of the Zemindars and Renters, their Enemies and Competitors ; and, by the Engines of Hope and Fear raised upon these Foundations, he can work them to his Purpose. The Committee, with the best Intentions, best Abilities, and steadiest Application, must after all be a Tool in the Hands of their Dewan.

" This would never be the Case * in the Case in the System I propose, as the Dewan would neither be the Channel of Information nor of executing Orders ; his Business would be limited.

" The same Objections that are made against the present Committee of Revenue may be applied to the System of Provincial Councils ; it is sufficient to say of them, that the universal Opinion, strengthened by Experience, has pronounced the System fundamentally wrong, and inapplicable to any good Purposes.

" After all, the Government must consider, that to make People do their Duty, Hope must be held out as well as Reward ; or, in the Words of a Gentleman, formerly a Member of the Supreme Council, no Government will be served faithfully that does not reward its Servants liberally.

" This is one great Defect in the System for the Administration of Justice ; the Pay of the Judges is equal only to their Subsistence, and their present Rank is the last Step of the Scale. Having no Object in this Line, they have little Inducement to exert themselves in it, but are anxious to get removed to some other where their Prospects are better.

" Foujdarry Jurisdiction.—Of the Foujdarry Jurisdiction nothing has yet been said. In this Department, Criminal Justice is administered, and it is the only Office left to the Nabob.

" I do not see any particular Reason for changing the System itself, and perhaps it would, on many Accounts, be improper ; but some Regulations are highly necessary.

" Muhomed Reza is at the Head of this Department, and is the only Person I know in the Country qualified for it. If he were left to himself, I have not a Doubt but he would conduct it well ; but he is so circumscribed by Recommendations of particular Persons, and by the Protection held out to his Officers by Europeans, that, to my Knowledge, he has not been able to punish them even when they have been convicted of the greatest Enormities ; and he has often on this Account been blamed where his Hands were tied up.

" The present Foujdary System, unless it has lately undergone great Alterations from the Controul over the Foujedars vested in the Judges of the Adawlut, is a mere System of Rapine and Plunder, and furnishes another Proof against leaving Natives with uncontrouled Power.

" What is particularly wanted is, to impose Checks and Restraints upon the Foujdarry Officers scattered about the different Districts ; and this might be done, consistent with the Plan I propose, by lodging a Controuling Power with the Collectors over them. With respect to the Trial of Delinquents, that should be left with the Natives alone ; the Trial is always sent to the Naib Nazim, and must be confirmed by him, and receive his Sanction, before the Sentence can be carried into Execution.

" I do

" I do not think it would be unbecoming the Dignity or Humanity of this Government, to procure some Alteration in particular Punishments, which are a Disgrace to Humanity: I allude in particular to the cutting off Limbs, and impaling; the very Mention of which makes Nature shudder.

" As to the Mode of Controul, it might be as follows: To fix the Station of the Head Foujedar of a District at the same Place with the Superintendant, and to oblige him to make a daily Report of all the Prisoners under his Charge; to order him to obey the Orders of the Collector for the Seizure of any Delinquents, and if the Crimes of the Prisoners merit Trial, to make the Foujedar deliver them over without Delay to the proper Officers for that Purpose; to abolish all Fines whatever as Punishments; and to reduce the Number of Petty Tannahs or Guards which are now scattered about the Country.

" N. B. To prevent an Abuse which arises from the Pay of Peons employed by the Court, and which is made an Article of Profit, a Restriction might be laid upon the Foujedar not to issue Summonses but under the Signature of the Superintendant.

" It was formerly the Duty of the Zemindars to preserve the Peace within their respective Districts, and to apprehend all Robbers and Breakers of the Peace: This cannot be done universally, but may still be adopted in particular Districts; for Instance, in Burdwan.

" It may now be proper to take a general Review of the System I propose. The Administration of Justice, and Collection of the Revenues of the whole Country, having been vested in Company's Servants, appointed to the different Districts, it will be necessary to establish a Controul over them.

" For this Purpose, a Council of Controul, similar to the present Committee of Revenue, should be established in Calcutta, with whom the Collectors should correspond, and whose Orders they are to obey. To them they are to send their Monthly Accounts of their Collections and Disbursements, and remit the former to them.

" This Council should be simply deliberative, nor have any Office of Collection itself: I would not allow them any judicial Authority, except merely to refer Complaints of any Kind to the Collectors.

" The present Court of Appeal, under the Name of Sudder Dewanny Adawlut, may still continue with all its Powers; to this Court the Collectors, in their judicial Capacities, are to be subject, and to make their Returns to it, as at present.

" The Supreme Council will still have a Controul over the Whole: The Committee are to send the Monthly Accounts to them, with their Proceedings, as at present, with a general Report upon the State of the Business and Conduct of the Collectors.

" Every subordinate Office must be possessed of full Authority: The Committee must not interfere in the Duties of the Collector, who, within his Jurisdiction, should be considered as despotic.

" The Committee should not decide *prima facie* upon Representations from the Natives, but should refer them to the Collectors. It will be One Part of their Duty to hear all Complaints against the Collectors, and call upon them to answer them. The Committee, in this Case, must be ordered to lay a State of their Proceedings before the Supreme Council, who will pass such a Decision upon them as they think proper. In the same Manner, the Supreme Council will exercise a Controul over both.

" It is a very capital Defect in this Government, that no System is permanent. Those amongst the Natives who have Influence, are the First to suggest Changes, as they must gain by them; but this continual Variation of System introduces Distrust and Diffidence of the Government amongst all Classes; it prevents all Inclination to Improvement, and makes every Man anxious to gather the Profits of his Hour, lest a new Change should deprive him of them.

" If the present Situation of Affairs were in any Respect eligible, I should not propose an Alteration; but I am convinced it is fundamentally bad; and that the System now proposed, admitting it to be incomplete, will in every Respect be infinitely better. I do not however wish to see it introduced, unless with a Determination of adhering to it; and if the Government will compel every Man to do his Duty, by rewarding those who do execute it, and by dismissing those who are either incapable or negligent of the Performance of it, I may venture to pronounce, that the System itself will answer every Object intended by it.

" In taking into Consideration the Management of the Revenues, it is necessary at the same Time to consider the Mode of Settlement.

" It may not be practicable, considering the Settlement formed by the Committee of Revenue, to make any considerable Alteration during the present Year; but a Foundation should be laid, and the Plan sketched out at full, and filled up afterwards as Circumstances admit.

" It may be pronounced, that upon the Whole, the Zemindars who have the greatest Riches, are also the properest Persons for the Management of the Revenues of their own Districts: Some Exceptions to this as a general Rule will hereafter be pointed out.

" I therefore propose that the Settlement be made with the Zemindars themselves, and that the Amount of the Jumma be irrevocably fixed during the Lifetime of the Zemindar.

" The Assessment should also be moderate, and in that Case the Zemindar should be compelled to pay it, taking upon himself all Profits and Losses: If the Assessment is excessive, there will be either a Necessity to admit an Abatement in case of Loss, or the Lands must be sold.

" The former Alternative is the best; and in that Case it might be made a Rule to sell a Portion of the Zemindarry to make good Arrears. I would even limit a Day when this Operation should take place; to the First Day of the Second Month of the New Year.

" The Exceptions against this Rule arise from the Incapacity of the Zemindars, owing to Sex or Minority. Both the Zemindars of Dinagepore and Burdwan are Minors, and wholly incapable at present of managing the Rents of their own Districts: In these Cases the following Modes occur; either to appoint an Officer on the Part of Government to take the Management of the Rents, or to let the Lands to Farm.

" In the former Case the Person appointed is only answerable for what he actually collects; in the latter Case, he is responsible for a certain Sum.

" If proper Persons should be found for the Trust, the former Mode appears to me preferable; and it may be adopted when the Zemindar himself has any near Relations capable of the Trust: The Fear of Dismissal will be some Restraint upon him.

" The latter Mode also has its Advantages; but these depend also upon the Choice of the Persons. I would not absolutely fix upon either, but adopt one or the other as Circumstances indicate.

" In whatever Instances a Farmer is employed, it ought not to be for one Year, but for a Term; as he ought not to be admitted without sufficient Reason, he ought not to be dispossessed merely to make Room for another Person.

" Every Zemindar has Land under the Denomination of Bert, Bermooter, &c. which are Rent-free. For the Management of these Lands, I would propose that a Person should be nominated by Government, where the District is not left with the Zemindar himself.

" Under every Situation, however, the Government must take upon themselves the Care of the Zemindar's Education during his Minority: Experience teaches, that this Trust, when left at the Discretion of their Relations, or a Farmer, is never executed faithfully. The Consequence is, that the Zemindars are incapable of managing their Lands at the Time they are qualified by their Age to undertake it.

" If the Government fix the Assessment, they must at the same Time fix their own Expences. It was formerly remarked, that the Habit of this Government to encrease its Expences was enormous. A Comparison of the Progress of Expence since this Remark was made in the Beginning of 1776, will fully verify it.

" To conclude: If the Plan now recommended, for the Administration of Justice and the Management of the Revenue, take place; and if those employed in it are retained in their Duty, in the Course of Two or Three Years, the System which is now confused and complicated, will become easy and simple, neither difficult to understand, nor embarrassing to perform.

" With respect to the Expence of this Plan, it will not be so great as at present, even after fixing certain Profits for the Persons employed, by allowing them Commissions upon the net Collections, which I think the properest Mode of paying them: But that this Matter may not be left in Doubt, the whole Detail of the System and Expence should precede the Adoption of it; and this may be done easily. If these Reflections are deemed of sufficient Weight to merit Consideration, the Writer will cheerfully embrace the Trouble of this Detail.

" N. B. Since the above Memorial was written, various Parts of the Provinces were formed into Collectorships and Superintendantships; such as Raadhai, Burdwan, Rungpore, &c. &c. &c.

The Managers for the Commons informed the House, they had no more Questions to ask the Witness.

(Cross examined.)

Q. (by Counsel). When did you first arrive in India?

A. About the latter End of May 1769.

Q. How long did you continue there till you returned to England?

A. I remained there till February 1785, and returned to Bengal in September 1786; and I left it again in December 1789.

Q. Was you, during the First Period of Time you were in India, employed in the Management of the Revenues of India, so as to acquire any considerable Experience?

A. I was.

Q. Was you acquainted with the System of Provincial Councils?

A. I was—I was a Member of one.

Q. How long was you a Member of one?

A. From about January 1775, to the latter End of the Year 1780.

Q. In the Paper which has been just now read, there is this Expression—"The same Objections that are made against the present Committee of Revenue, may be applied to the System of Provincial Councils; it is sufficient to say of them, that the universal Opinion, strengthened by Experience, has pronounced the System fundamentally wrong, and inapplicable to any good Purposes:"—Whether you now adhere to that Declaration as containing the real Fact?

A. Most certainly.

Q. You

Q. You was, I believe, a Member of the Committee of Revenue at Calcutta, appointed upon the Abolition of the Provincial Councils?

A. I was.

Q. At the Time of your Appointment, was you in the Habits of private Friendship, or Political Connections with Mr. Hastings?

A. I was not.

Q. Was not that Committee directed to keep regular Minutes of their Proceedings, and to do no Act collectively, but what should be recorded?

A. Whether it was directed or not, I do not know; but it was certainly understood to be their Duty.

Q. Did they, in Effect, keep such Minutes?

A. They did.

Q. Were those Minutes monthly, and every Month, laid before the Supreme Council?

A. I do not recollect.

Q. (*by a Lord*). Were they laid before the Supreme Council at all?

A. They were; I believe, they were all laid before the Supreme Council.

Q. But at what Intervals you do not recollect?

A. At what Intervals I do not remember.

Q. Whether the Powers possessed by this Committee tended to invest the Knowledge and Inspection of the Management of the Territorial Revenues solely and entirely in Mr. Hastings?

A. Certainly not; the Proceedings were open to the Inspection of the Council.

Q. Did the Powers possessed by this Committee, tend to deprive the Members of the Supreme Council of a due Knowledge and Inspection into the Management of the Territorial Revenues?

A. They did not, in my Opinion.

Q. Having in the Paper, an Extract of which has just been now read, pointed out certain Defects in the Establishment of the Committee of Revenue, Whether this Committee was obviously inadequate from its original Institution, or found to be so by Experience?

A. I found it so by Experience.

Q. Was it not a Subject upon which Persons, possessing Skill and Knowledge in the Revenue Department, might fairly and conscientiously differ in Opinion?

A. I should suppose there would be a Difference of Opinion upon that, as well as upon every other Subject.

Q. Has it not often happened to you, in the Management of the Revenues, that the Experience of the subsequent Year has induced you to correct the Opinion of the former?

A. It has; and I have recorded that as my Opinion upon the Minutes, since my Return to Bengal.

Q. In the Paper that has been lately read, there is this Expression—"The Committee must have a Dewan, or executive Officer, call him by what Name you please." Whether by that Expression you meant to say, it was a Necessity imposed upon you by the Governor General and Council, or from the Nature of the Institution?

A. From the Nature of the Institution.

Q. Had not the Provincial Councils each a Dewan?

A. They had.

Q. Has not each Collector now a Dewan?

A. He has.

Q. Was you acquainted with Gunga Govind Sing?

A. I was, for a great Number of Years.

Q. Was he not a Person of much Skill and Ability in the Revenue Department; of great Experience, Skill, and Ability?

A. I believe he was not deficient either in Skill or Ability.

Q. At the Time of his Appointment to be Dewan of the Committee, all Circumstances considered, do you know of a more proper Person to be appointed?

A. I know of no Native fit for the Appointment.

Q. If a Native were necessary to be appointed, could you have selected from among the Natives a Person, in your Opinion, more proper for the Office?

A. I certainly should not have selected him by Choice; whether I could have pitched upon any other Person in Preference, I really cannot recollect at present.

Q. Then I understand, that the Name of any Person does not occur to you, at this Moment, as more proper than Gunga Govind Sing?

A. I certainly cannot recollect any Person fit for the Office.

Q. Was you acquainted with the Character of Ram Chunda Sing?

A. I was.

Q. Was he better or worse than Gunga Govind Sing?

A. At the Time he was appointed to succeed Gunga Govind Sing as Dewan, I suppose you mean:—I always had a bad Opinion of Ram Chunda Sing; at that Time I had; and I have since continued it.

Q. Was his Character better or worse than Gunga Govind Sing's?

A. I thought him so bad a Character, when I went last to Bengal, that I did not suffer him to visit me.

Q. Was that the Opinion you entertained of him at the Time he was appointed to succeed Gunga Govind Sing?

The Managers for the Commons objected to the Question.

Q. Whether you are well acquainted with the general State of India, and in particular with that Part of it which is subject to the Government of the East India Company?

A. I believe I am.

Q. Has not Property been more secure, and Individuals been less oppressed under the British Government, than under the Government of the Nabobs?

A. I have not a Doubt of it.

Q. Are not the Natives in general more happy?

A. I believe they are.

Q. Since the Year 1770 to the Time when you left India, had not the Agriculture, Population, and general Prosperity of the Country encreased?

A. I have recorded that, as my Opinion, on the Proceedings at Bengal, and I now adhere to it.

Q. When you was last in India, and a Member of the Supreme Council, were the Charges against Mr. Hastings in Circulation there?

A. A great many Copies of them were brought out.

Q. Was it generally known among the Natives that he was accused?

A. Certainly by those that had Access to the Europeans in Calcutta, and in other Parts of India.

Q. Were any Complaints made of the Conduct of Mr. Hastings to the Supreme Council?

A. None that I heard of.

Q. Was the Character of Mr. Hastings among the Natives of India, that of a mercenary, or a corrupt, or a cruel Man?

A. I believe the Natives in India entertained a very favourable Opinion of Mr. Hastings; I never had any particular Opportunity, nor ever made any particular Enquiries on the Terms of the Question; but, in general, I have reason to believe the Natives thought very favourably of him.

Q. Was that the Way the Natives thought of Mr. Hastings, after those Charges had been sent out to India?

A. It was.

Q. (*by Managers.*) Whether the Charges against Mr. Hastings were translated into the Hindoo Language?

A. I do not believe they were translated, either into the Hindoo Language, or into any other Language of Indian.

Q. Whether your Objections to the Want of a local Controul, were as applicable to the Provincial Councils as to the Committee of Revenue at Calcutta?

A. I think they were applicable to the Provincial Councils, but not in the same Degree.

Q. Whether you was not, while you was a Member of the Committee of Revenue, deputed upon a Commission into a considerable Province?

A. I was Twice; once into the Dacca District, and once into the Bahar Province.

Q. Whether, when you was deputed upon that Commission, you took with you any, and what native Dewan?

A. I took no Person as a Dewan with me, but I took an executive Officer, Prawn Kishen Sing, the Son of Gunga Govind Sing.

Q. Whether,

Q. Whether, at your first Nomination to that Deputation, you made that Choice?

A. I do not recollect exactly when I made the Choice, but I think he accompanied me to Dacca, and it was my own Choice.

Q. Did he accompany you to Bahar?

A. He did.

Q. Without any further Recommendation than your own Choice?

A. I made the Proposition myself to take him with me: I made the Proposition to Mr. Hastings, and he approved of it.

Q. Whether you knew any Thing of Gunga Govind Sing being the secret Agent of Mr. Hastings, to take Money in the Provinces?

A. Excepting in the Case of Kellaram and Cullian Sing, which I heard, I have no Recollection of hearing in any other Case, that he was employed to take Money; neither in that Case did I hear that he was employed by Mr. Hastings; but that he did take Money.

The Managers for the Commons desired the last Question and Answer might be read over.

The same were accordingly read.

The Witness said,

Those are not exactly the Words I made use of. I said I heard he had taken Money in the Name of Mr. Hastings; and when I heard it, I supposed he had abused Mr. Hastings's Name for the Purpose of taking Money.

Q. Whether or no you are not the intimate Friend and Connection of Mr. Hastings now?

A. I certainly consider myself now as being on a familiar Footing with Mr. Hastings.

Q. Whether you did not assist in drawing up Mr. Hastings's Defence before the House of Commons?

A. I gave Mr. Hastings some Memorandums on the Revenue Charge; but, to the best of my Recollection, a very small Part of what I gave him appears in the printed Defence, neither is that in the Words in which I gave it to Mr. Hastings;—I speak from Recollection, a very small Part of it.

Q. Do you know who altered the Minutes you gave for that Defence?

A. I do not.

Q. To whom did you give them?

A. I really do not recollect at present whether I gave them to Mr. Hastings, or to whom.

Q. Did you come home in the same Ship with Mr. Hastings?

A. I did.

Q. Did you see Gunga Govind Sing on a Visit to Mr. Hastings in the Ship, or before he embarked?

A. I do not recollect that I did; I did not accompany Mr. Hastings from Calcutta to the Ship.

Q. Whether you know any Thing of a Grant of Lands in the Zemindary of Dinagapore made to Gunga Govind Sing by Mr. Hastings, or recommended to be made by Mr. Hastings to Gunga Govind Sing?

The Counsel for the Defendant objected to the Question.

O. (*by Counsel.*) Whether any better Plan than the Committee of Revenue, as now established, can in your Opinion be devised, for the Management of the Revenues?

A. I do not know any better Plan at present.

Q. You have been asked, whether you did not consider yourself as the Friend of Mr. Hastings, and answered, that you were upon familiar Terms with Mr. Hastings;—Whether you would continue so, if you thought him to be a corrupt, mercenary, or cruel Man?

A. I should hope not.

Q. (*by a Lord.*) You have spoken favourably of the Abilities of Gunga Govind Sing; upon what do you ground your Opinion of his Unfitness for the Office?

A. Upon Information, and my own Experience.

Q. What were your Objections to his Appointment?

A. I objected to any Native of the Country: Independant of that, I did not find him so zealous or so active as I wished him to be.

Q. Did you discover or suspect no other Defect in Gunga Govind Sing, than the Defect of Activity and Zeal?

A. I believe that any Native, in the Situation in which he was placed, would use his Influence for his own Advantage; and I have no Doubt Gunga Govind Sing did so.

Q. (by Managers.) Whether the Committee, that you have now declared your Approbation of, is the same Committee as that which was the Subject of your Minute?

A. Their Functions are exceedingly different—the local Controul is now invested in the Collectors, and the Office of the present Board of Revenue is to controul and superintend the Conduct of the Collectors.

Q. Having said that you heard that Gunga Govind Sing received a Sum of Money from Kelloram and Cullian Sing, at what Period did that Report come to your Ears?

A. I cannot recollect when I first heard it—but I certainly heard it when I was at Patna.

Q. Previous to 1782?

A. I think I left Calcutta upon that Deputation in 1783—I will not say I did hear it before, but I think it is probable I heard it before—I believe in September 1783.

Then the Witness was directed to withdraw.

Then the House adjourned to the Chamber of Parliament.

Die Luna, 7^o Junii 1790.

THE Lords being in their Places, the House resumed, the usual Proclamations made, and the Defendant appearing at the Bar, the Lord Chancellor informed the Managers for the Commons, they might proceed to make good their Charge.

The Managers for the Commons desired Mr. Johnson might be called in.

Mr. JOHNSON was accordingly called in, and being sworn, was examined as follows:

Q. Whether you know of any Duplicate, or other Copy of the Letter of the 20th of January, from Patna by Mr. Hastings, except that delivered by Major Scott?

A. I have never seen any other: I have Reason to suppose there was another Copy.

Q. You have never seen any other Copy than that delivered by Major Scott?

A. No.

Q. Did you say any Thing about your having any Reason to believe there was another?

A. Yes; I have had Reason to believe there was another, which I will state: I have in my Hands the Minutes of the Court of Directors on the 27th of May 1783; it is said in these Minutes, "The following Letters and Dispatches were received; viz." Among them are Letters from the Governor General to the Secret Committee, dated the 20th January, 22d May, and 16th December, 1782.

(Cross Examination.)

Q. From that Entry you infer, that another Copy, besides the one presented by Major Scott, was sent?

A. I think so.—I never saw it.

Q. *(by Managers.)* Do you apprehend from these Papers which you have quoted, that there were more than One Copy besides that brought by Major Scott?

A. It is impossible for me to answer that. I really do not know.

Q. Is there any Thing in those Papers that led you to such an Opinion?

A. No, neither one Way nor the other.

The Witness was directed to withdraw.

The Managers for the Commons stated, they should next proceed to shew the Institution of Aumeens.

Read, from Book 287, already delivered in, the following Extract of a Consultation of the 1st November 1776.

" Fort William, the 1st November 1776.

" At a Council, Present,
The Honourable Warren Hastings, Governor General, President;
Richard Barwell,
and
Philip Francis,
Lieutenant General Clavering indisposed.

} Esquires.

Rev. Dept.
Friday.

" The Governor General delivered in the following Minute.

" 1st November 1776.

" Governor General.—In whatever Manner it may be hereafter determined to form the new Settlements of the Provinces, after the Expiration of the present Leases, it will be equally necessary

• Sic in Orig. lary to be previously furnished with accurate States of the real Value of the Lands, as the Grounds on which it is to be constructed.—To obtain these, will be the Work of much official Knowledge, some Management, and unremitted Labour; in compiling and collecting the Accounts of the past Collections; in digesting the * Materials, which may be furnished by the Provincial Councils and Dewans; in issuing Orders for special Accounts, and other Materials of Information; and in de-puting Native Officers on occasional Investigations. It is impossible for the Board to conduct a Business of such Detail; neither can it be left wholly to the Provincial Councils: It requires Uniformity in the Design, Authority in the Execution, and an extraordinary Share of Responsibility to animate the Zeal of those who are entrusted with the Charge of it.

• Sic in Orig. " I therefore propose, That a temporary Office be constituted, to execute this Business, under the Conduct of One or of Two Covenanted Servants of the Company, assisted by a Dewan, and other Officers, either selected from the Offices of the * Calas, or occasionally chosen for special Commissions: That, for the Sake of Dispatch, all Orders issued from this Office, for the Execution of such particular Services as shall have received the general Sanction of the Board, be written in the Name of the Governor General; and the Controul of it be committed to his immediate Charge.

" Besides the immediate Duty of this Office, which I have above described, and which I suppose to be indispensably necessary and essential to the Formation of an equal Settlement, many other Points of Enquiry will be also useful to secure to the Riotts, the perpetual and undisturbed Possession of their Lands, and to guard them against arbitrary Exactions; this is not to be done by Proclamations and Edicts, nor by Indulgencies to the Zemindars and Farmers: The former will not be obeyed, unless enforced by Regulations so framed as to produce their own Effect, without requiring the Hand of Government to interpose its Support; and the latter, though it may feed the Luxury of the Zemindars, or the Rapacity of the Farmers, will prove no Relief to the Cultivator, whose Welfare ought to be the immediate and primary Care of Government.

" The Design of establishing new Pottahs for the Riotts, the Failure of which has been often objected to as a Reproach on the late Administration, has been tried with equal ill Success by the present, in their late Settlement of Burdwan, where, notwithstanding the solemn Engagement of the Zemindar, and the peremptory Injunctions of Government, not a Pottah has yet been granted (if my Information is true, and it may be easily proved), nor will be granted, of a different Tenure from those which have been customary for some Years past, unless more regular Means are taken to produce them: Future Effects may be concluded from such simple Causes, without the Spirit of Prophecy. It is the Interest of the Zemindar to exact the greatest Rent he can from the Riotts; and it is as much against his Interest to fix the Deeds by which the Riotts hold their Lands and pay their Rents, to certain Bounds, and Defences against his own Authority; the Foundation of such a Work must be laid by Government itself. All that I would here propose is, to collect the Materials for it, by obtaining Copies of the present Pottahs, and of the Nerrie Bund, or Rates of Land, by which they are regulated in each District, and every other Information which may throw a Light on this Subject, and enable the Board hereafter to establish a more permanent and regular Mode of Taxation.

(Signed) " Warren Hastings.

Signed at the End,

" Warren Hastings,
J. Clavering,
R. Barwell,
P. Francis."

To shew the Persons that were appointed, read, from the same Book, the following Extract of a Consultation of the 12th of November 1776.

[" Fort William, the 12th November 1776.

" At a Council; Present,
The Honourable Warren Hastings, Governor General, President;
Richard Barwell, } Esquires.
Philip Francis, }

" Extract of Fort William Revenue Consultations, 12th November 1776.

" The Governor General recommends the following fixed Establishment for the Office proposed in his Minute of the 1st instant.

" Establishment for the Office.]

§ (" Mr. David Anderson,)	Superintendants, at 1,200 Rupees each per Month	2,400
" Mr. George Bogle,)		
" Persian Translator	—	200
" Writers	—	300
" Office Rent	—	400
" Candles and Petty Charges	—	50

" 3,350") §

[" Native Officers.]

A Peshkar (Gunga Govind Sing)]

" A Naib	—	—	—	—	—	250
" A Sheristahdar	—	—	—	—	—	100
" 5 Persian Moherirs a 50	—	—	—	—	—	250
" 5 Bengal Moherirs a 40	—	—	—	—	—	200
" 2 Moonshies	—	—	—	—	—	150
" 2 Ditto	—	—	—	—	—	60
" A Head Moherir for translating	—	—	—	—	—	100
" 2 Under Moherirs	—	—	—	—	—	80
" A Mirdha	—	—	—	—	—	20
" 10 Peons	—	—	—	—	—	40
" A Jemadar	—	—	—	—	—	15
" 10 Hircarrahs	—	—	—	—	—	50
" 2 Dufferbunds	—	—	—	—	—	10
" 2 Frashes	—	—	—	—	—	8
" A Muffaulchy	—	—	—	—	—	5
" A Jarro	—	—	—	—	—	3
" Oil, Candles, &c.	—	—	—	—	—	30
" Paper, Pens, &c.	—	—	—	—	—	120
						<hr/> 4,821

" Occasional Aumeens and other incidental Charges; these cannot be fixed nor estimated. He has affixed the Names of the Gentlemen whom he wishes to be nominated to the Superintendency of this Establishment, because he considers them as essential Parts of it, having made Choice of them as Persons endowed both with Talents, and Knowledge peculiarly adapted to the Duties assigned them, and on whose Dispositions he can entirely depend for their cordial Agreement with each other in the Discharge of them. He recommends Mr. Henry Vanlutar to be the Persian Translator; he also recommends, that the Office of Peshkar be assigned to Ganga Govin Sing, the Naib Dewan of the Khalsa, and that he be allowed 700 Rupees per Month for his Salary as Naib Dewan of the Khalsa only; none having been yet allotted to that Station.

" The known Abilities of Ganga Govin Sing, will justify the Preference shewn to him in this Appointment. The Business in its Detail must be conducted by a Peshkar. The Gentlemen to whom the Governor General proposes to commit the Direction of it will think it no Derogation from their Characters, of which no Man can have an higher Estimation than he has, or a more perfect Reliance on their Integrity, if he expresses it as his Opinion, that the greatest Experience which can fall to the Lot of any covenanted Servants of the Company, will prove unequal to the minute Investigation of all the progressive Operations of the Revenue in this Country, without the Aid of that professional Knowledge which is possessed by the native Mutasaddies of Bengal, of whom Ganga Govin Sing is incontestably the First.

" For the Reimbursement of the Charges of this Office, should the Amount prove so considerable as to require it, a small Fee may be taken on each Aumeelnama, or Cabuleeat to be granted in the future Settlement, which will not effect the Jumma, nor be felt at such a Time by those who will be required to pay it.

(Signed)

" Warren Hastings.

" Mr. Barwell.—I approve.

" Mr. Francis.—My Objections to the Measure itself have been stated at large. As they have been overruled by a Resolution of the Board, I shall make no others.

" Resolved, That the Office be established, and the Appointments made as proposed by the Resolution. Governor General.

" Ordered, That the Secretary advise Messrs. Anderson and Bogle of their Appointments.

" Mr. Barwell delivers in the following Minute.

" Mr. Barwell.—I assent to the Governor General's Minute. A Compilation and Digest of Materials whereon to form a new and permanent Settlement of the Provinces must be useful, and is, in my Opinion, unavoidable. The last Leaves have furnished the Means which will give an Insight into the real Value of the Lands; but these Means are not yet in our Possession, and may still leave something for compleater Discovery, and for the Guidance of a Decision on which the Prosperity of an extensive Kingdom, for a considerable Period, is probably suspended; no Researches can be too minute, no Informations too voluminous. I see my own, and I see the Situation of every Member of Council to be equally delicate upon this important Affair; an Affair liable to be viewed in various and even opposite Lights, and to be canvassed in every Step

Mr. Barwell's
Opinion on
the Office for
preparing
Materials for
the New Set-
tlement.

“ of its Progress. The grand Object in which all our Sentiments unite, and to the Necessity of which we all subscribe, is a solid Establishment of the Revenues upon an abated Taxation; but it is not my Opinion, in support of Mr. Francis or of any other Member of Administration, that will impress a Conviction of this Necessity upon the Minds of those whose distant Situations debar them from all Possibility of personal Observation.

“ My own Sentiments, it is true, are clearly for a Reduction of the Revenue, as absolutely requisite for the future Welfare of this Country; and while I heartily coincide with Mr. Francis in most of his general Ideas upon this Subject, so far as they clash not with the peculiar Customs of Bengal, I think they may well be reconciled to the Investigations proposed by the Honourable Governor, and that our Judgement in so interesting a Business should be formed upon the best Principles of Accuracy.

“ To let this Matter in the clearest Point of View, let us consider it from the Governor's Proposition for the Institution of a temporary Office. A new Settlement of the Provinces will be necessary upon the Expiration of the present Leases; We are unanimously agreed, that a fixed Valuation should take Place in the Revenues, and that some Diminution should be made in the present Rents: Lastly, we propose that this important Settlement should be permanent. On such a Step, we would surely endeavour to convince the Company, whose Agents we are, and whose Prosperity is blended with that of this Country, that we have not negligently slumbered over their Interests, or omitted any possible Mode of ascertaining the true and ultimate Value of their Possessions. Nor is this all: We would convince them decisively, that no future Administration may have the smallest Opening to hint that deeper Researches might have produced a more equal and equitable System for the Natives, and a more advantageous Bargain for our Employers. Another good Effect to which we should turn our Thoughts is, that of rendering the Bulk of the People well affected to Government; an Attempt which can never succeed but in their steady Reliance on its Impartiality; and with all Deference to the High Authorities quoted by Mr. Francis, and in Concurrence with them, I will venture to affirm, that an equitable Taxation is the great Desideratum; and should be the first Object of a good Government; and that such an Attention to the Welfare of the Peasant and the Manufacturer, is the Ground-work of a well regulated State.

“ The first Improvements of the Revenues, and Relief of the laborious Part of the Kingdom in France, were projected by the great Duke of Sully upon the same Principles, and brought to Effect by an Application of the very same Means as those now proposed by the Governor General. He commenced with a most extensive and arduous Collection of minute Details in that Branch; and, from mature Consideration of those detached voluminous Materials, detected every Species of Artifice and Fraud committed by the Farmers, and employed the Result of his Discoveries towards lightening the Burthen upon the Shoulders of the Commonalty.

“ We now wish to shake off all rival Adventurers, and, instead of farming, to fix the Rates of Lands with the several old Zemindars, wherever it can be done with a Probability of Success. This Mode of Settlement, though it has certainly many Advantages, is yet liable, under certain Circumstances, to very strong Objections, some arising from the Zemindar himself, as his Minority, or total Incapacity for Business, and some from the Nature of the Lands: Besides, as the present proposed System must preclude all Competition of Candidates for the same Lands, by granting them to their hereditary Proprietors, it necessarily opens a large Field for Indulgence and Partiality, to which the former Mode of Settlement precluded all Access, by allowing the indiscriminate Tender of Proposals. For which Reason it is clearly my Opinion, that our Employers will but faintly co-operate with our Measures, or ratify our Decisions, if we appear to have hastily employed the Informations gained from the temporary Engagements, which they may possibly think imperfect, as Materials for our own more lasting Establishment, especially while we had in our Hands the Means of procuring more accurate Knowledge, and while we were timely warned by the first Member of the State to exert them.

“ Therefore, when we propose a more impartial, and at the same Time a reduced Taxation, the least we can do is surely to give the Company satisfactory Reasons for this Drawback upon their Income, and sufficient Evidence that the impoverished State of the Country loudly pleaded for such an Abatement. A Proposition of this Nature does not carry self-evident Conviction upon the Face of it, but must be supported by Argument, confirmed by Experience, and established upon Proofs, by which the present Excess of the Taxation may be made to serve as a Reason, and as the Authority for our Admission of a Decrease. The most probable Method of acquitting ourselves by these Proofs, is offered to us by the Governor General, in the Proposal of gaining the most accurate possible Accounts of the Payments actually made by the Husbandmen, exclusive of its being essential to the Relief which it may be necessary to give them, before Government can venture to expect any adequate Advantage from fixing the Revenue. Add to this, that there seems but small Occasion for doubting the Authenticity of the Materials to be procured; collateral Informations will always serve as a Check upon each other, while every Man is actuated by a separate and peculiar Motive, or so long as there remains a divided Opinion in the World.

“ I am likewise persuaded that Administration cannot have a more important Topic of Discussion, or Object of Action, than to define and secure the Rights of the People: And in this Country,

“ Country, where all territorial Property centers ultimately in Government, and where the Zemindar holds his own Lands but by a Pottah, the same Tenure by which his under Tenants holds them again from him, I think the public Eye should have a Watch upon those as well as the former, and that it would tend as much to the Interest of the State, as to the Satisfaction of the greater Number of Inhabitants, that all Pottahs should be equally well defined, and be guaranteed from all Violation with an equal Authority.

“ Personal Property ought as much to be sacred in the Pittance of the Poor, as in the Possessions of the Rich; and as I have said, “ The Welfare of the Husbandmen and Manufacturer is the Groundwork of a well regulated State,” it follows, that I deem it to be the first Object of this Government, to fence and secure the Ryots against the arbitrary Power of their Zemindars; otherwise, no one Regulation we may resolve on can, in its immediate or remote Consequences, answer the beneficent Design for which it was formed. The Wealth of every Country is to be found in the Wealth of the Commonalty alone, especially in this Country, where the peculiar Manners and Superstitions of the higher Class, either influence them to secrete their Acquisitions, to dissipate it in religious Endowments out of the Provinces, or in the ostentatious Folly of giving daily Food and Subsistence to a Number of idle Dependants, who by such Means are totally separated from the Bulk of the People, and who must otherwise have been usefully employed in the Manufactures and Cultivation of the Country. I acknowledge the Task is extremely difficult and arduous; but, unless the Rights of the common People are well defined and well secured, I am persuaded all our Speculations will only tend to enrich the Zemindars, and either lock up in their Hands a large Portion of the current Specie, or divert it to the most pernicious Purposes, and precipitate that very Decay we are endeavouring to guard against.

“ The Secretary lays before the Board the following Minute received from the General on the same Subject.

“ General Clavering.—I have perused with Attention the Governor General’s Minute of 1st instant, and confess myself at a Loss for Words to express my Astonishment at such an Attempt to wrest out of the Hands of the Council so important a Branch of the Administration of this Country, as the Ordering, Management, and Government of all the territorial Acquisitions of the Kingdom of Bengal, &c. vested in them by the late Act of Parliament, of which I hold it a direct Breach, being a most illegal Usurpation of the Powers conferred by that Act upon the united Members of this Government, and, as such, I most solemnly protest against it.

General’s Opinion on the Office for preparing Materials for the new Settlement.

“ If, to elude this Protest, it should be stated, that the Object of the Measure protested against is only to collect Materials for future Management, and not to usurp the Ordering or Management itself, let me ask; Why at this Time, when it is notorious that the Government of this Country is, in Fact, vested in the Governor General and Mr. Barwell exclusively, though nominally and descriptively in the Governor General and Council, that the Governor General should propose to have all Orders written in his own Name, and the Controul committed to his immediate Charge? Again; will not the Orders to be issued by the Governor General throughout the Provinces suspend the Action of all the other Orders given by the Governor General and Council, or their Delegates, the Provincial Councils, by virtue of the Independent Powers now required to be given to him? And will not the Existence of such Authority, unlimited both in Duration and Extent, deprive the other Members of Administration of the Power of taking any further Steps in the Ordering and Management of the Revenues for the Purpose of forming the new Settlement, although legally indivisibly conferred upon the united Body of the whole Council; and then, will not this Suspension, in Effect, amount to an Usurpation of a separate Management, or Sole Controul, which I protest against?

By the 22d Article of the Regulations of the Committee of Circuit, Orders are to be sent through the Channel of the Board of Revenue to the Collectors.

“ Independent of this, the Plan of establishing an Office under the immediate and sole Controul of the Governor, in order to be furnished with accurate States of the real Value of the Land; or, in other Words, once more to investigate them for the probable Purpose of forming a new Settlement at the Presidency, to be executed by such Powers, and entrusted in the Hands of such Agents, as will be employed, appears to me incompatible with the Rules of the former Administration of the Revenue, with the Constitution of the Offices already established under the Presidency, and indeed, with every political Principle that should regulate a wise Government; in short, solely tending to disturb the Minds of the People, and to throw the whole System of the Administration of the Revenue into Confusion. All the Mischiefs of the Committee of Circuit will be renewed by the unjustifiable Hopes it will hold out, of acquiring Wealth by obtaining Farms, distributed under the Influence of this new created Office. The Country will flock to the Presidency, and Europeans and Natives will all crowd the Governor’s Levees in Expectation of sharing a Part of the Plunder.

Article 3d. The Farms and Usages peculiar to each District, and the present and improvable State of their Lands, require a local Inspection; they cannot be known with any Degree of Certainty by remote Observations, or the interested and superficial Scrutinies of the Natives; a Part of the Administration itself being on the Spot, will run less Hazard of being deceived in Intelligence, or disappointed in their Investigations; they will be better able to hear and redress any Grievances which the Inhabitants may prefer to them, and to form such particular Regulations as may be necessary for the Exigencies of each District, or even to supersede others to those, which shall be generally and previously resolved on.

“ It is difficult to guess by whom a Project, so big with Mischiefs, could be devised. I am told the Natives, however, ascribe it to Cantoo Baboo, the Governor’s Banyan.—He had been absent for more than a Year from the Presidency. He was no sooner returned, than the Plan

“ made

" made its Appearance; 'tis true he is more interested than any Body in concealing the actual Col-
 " lection of his Farms, and in secreting the Value of his Talooks, which he holds as an In-
 " heritance.

" Whether or not I have ascribed the Project to its proper Owner, and have accounted rightly
 " for his Intention in it, it is most certain that it will be carried on and managed under his
 " immediate Influence, and that he will have the Appointment of all the Native Officers
 " under it.

" The first obvious Measure of the new Office must be to establish their own Power, and
 " that of their Agents, throughout the Provinces; and with what Moderation they will exercise
 " that Power, countenanced and supported as they will be, I leave to Mr. Hastings's Knowledge
 " of the Character of the People to determine.—He can well judge whether they are likely to
 " be disinterested in taking the Mofussil Accounts, and not shewing Favour where they are
 " most rewarded. He can determine whether they are not likely to disturb the present Collec-
 " tions, and whether, in that Case, the Failure of the present Year's Revenue is to be imputed to
 " the Measures of the late Majority, or to the Appearance of so many rapacious Agents in the
 " Districts. I think it cannot be doubted but that, when it is so much the Interest of the Ryott
 " to conceal his Property, that it is not likely he will withhold a Tribute to the Agent to secure
 " himself against a perpetual Taxation.

" The Governor General must know the Necessity there is of holding the Poonah in April for
 " the new Settlement, and for that Purpose, that at least Two Months previous Notice ought to
 " be given of the Intentions of Government in forming it; and he ought therefore to be aware
 " of the Shortness of the Time, and how improbable it is that these Agents, even supposing they
 " were not to be diverted from the Object of their Mission by the Honour and Lucre of their
 " Employ, it will be for them to go through an accurate Investigation of the Accompts of each
 " Village in such a short Period.

" Upon a Supposition however that they had over-run the Country, and collected together the
 " Accompts, such as they may be supposed to be under such Management, then there still re-
 " mains the Inconvenience of concentrating in the Governor General all the Information which may
 " be obtained by their Enquiries.

" If the Eagle Packet, which the Company acquainted us would sail in June last, should arrive,
 " and bring out Orders that should obstruct the Governor General in the Pursuit of his Plan, just
 " at the Time when it may be ripe for Execution, the Council, unacquainted with the whole Plan,
 " will neither be able to complete it, nor to adopt any other.

" Next as to the Expence, if that can be allowed to be a Consideration, when so great a Benefit
 " is in Contemplation, the small Part of it already fixed amounts to 5,000 Rs per Month, and for
 " the Rest, the Governor himself does not even venture to throw a Guess at what it may amount
 " to; but this he deems immaterial, as he readily obviates the Difficulty, by the old Plan of
 " levying it upon the Country by a Mahtoote, which he concludes it will be able to bear, forget-
 " ting how far the Remissions he has lately found necessary to make of the whole Amount Ba-
 " lances of the Kishnagur Rajah, and others, will support that Opinion. But not to discuss a
 " Point so evident, let me ask, whether any Payment from the Country instead of the Treasury
 " can be a Saving to the Company, one being supplied from the other, and both equally their
 " Property?—But Arguments upon Savings are vain, when the Necessity of an Expence is so
 " urgent as in the present Instance. Having no Establishment of local Agents already in Pay and
 " Authority, from whose long Residence and Experience we can expect the required Information,
 " it follows, that new Powers and new Expences must be framed to effect it.

Article 12th.
 Regulations.
 All Mahtoote
 to be abolish-
 ed.

By the 7th Article of the Proceedings of the Com-
 mittee of Circuit, the following Offices are to be established
 for conducting the Business of the Khalsa according to
 these Regulations.

1st. Roy Royan's Office.

To this Office all Accounts, Statements, and Papers
 whatever are to be first transmitted, and from thence di-
 stributed to the proper Office, after having been received
 by the superintending Member of the Khalsa, and the
 Roy Royan.

" And had the Committee of Circuit (whose Regulations the
 " Court of Directors have enjoined us to consider as standing
 " Orders) not appointed a Roy Royan, a Superintendant of the
 " Khalsa, and an Accountant General for the Purpose of digest-
 " ing, and reporting upon all Mofussil Statements and Accounts,
 " the Governor General might have urged, that the Board being
 " inadequate to the Labour of digesting them, a new Office was
 " necessary.

" I will only add, that, by the present Plan, all former Arguments of the late Majority against
 " the Committee of Circuit stand not only confirmed, but redoubled by this Self Condemnation.—
 " What the penetrating Eye of the most experienced and oldest Servants (all Members of the
 " Council, with the Governor at their Head) themselves upon the Spot, with the whole Power of
 " Government in their Hand, could not attain a true Insight of, and this since corrected, and dis-
 " cussed by Five Years Collections, is yet to be sought for, and now to be expected, at the Distance
 " of some Hundred Miles, by Two Junior Servants, One of whom is barely out of his Writer-
 " ship, above One Year of which he was absent from the Country.

" If a new Investigation is now necessary, I can see no Point of it that cannot be as effectually
 " compassed, and even much more so, by the Provincial Councils; a natural unalarming Chan-
 " nel, without Expence, and without any unnatural Medium, or unconstitutional Authority—
 " Whereas, the new Plan is directly the contrary, and will possibly be totally thwarted (at least in
 " the Attainment of any Good) in the very first Outset, by the universal Alarm, so eccentric a
 " Motion will create, and must continue to cause.

" Mr.

“ Mr. Francis has more fully answered the Particulars, wherein chiefly coinciding, I forbear Repetitions, excepting to the Circumstance of the Pottahs, upon which I will only say, that if they have not yet been issued, although ordered Five Years past, the Governor General must look to himself for the Blame; for had he exerted his Authority, when the Committee was upon the respective Spots, or had he not by himself, and the Influence of his executive Powers, and the Counteractions of his Dependents, thwarted our Attempts to effect it, they would not now remain to be discussed in a new Plan; and, considering the present Constitution of the Government, I cannot, with Mr. Francis, flatter myself with Hopes of Success in the Accomplishment of our late Orders to Burdwan upon this Subject.

“ In one Point further I differ with Mr. Francis; my Objections to this Measure not depending on Opinion, but being made directly to its Illegality, I cannot strain my Sense of Duty to promise, as he does, that I will support it when it is resolved to be carried into Execution.

“ In the Appointment that the Governor General has made of Officers to fill the new Office, he has very particularly set forth the Merits of Gunga Govind Sing, whom he had, but a few Days before, restored to his Office of Duan to the Calcutta Committee, as if the Office of Right belonged to him; it must be remarked however, that the Governor General has been very guarded in not adding official Probity in the Encomiums which he has so liberally given to him; it is very well known that he was dismissed from his Office on an Accusation of Cumaul ul Deen Cawn, whose Testimony the Governor General cannot but admit, particularly as the Fact has been established in the Supreme Court, on the Trial of Mr. Fowke, that he Gunga Govind Sing had taken from him Twenty-two thousand Rupees collusively for certain Purposes, and for which he was to allow Comaul ul Deen to run a certain Quantity of Salt.

“ As the Duties of the new Office must necessarily engage the whole Time of this Minister, it would have been reasonable, when the Governor General thought proper to appoint him Peshcar at the Khalla, with a Salary of Seven hundred Rupees a Month, that he would have been pleased to have taken into Consideration, that it will be impossible for this same Man to perform so many various Duties, together with those belonging to his Office of Duan to the Calcutta Committee; which Office will probably be totally neglected if some other Man is not appointed to superintend it.

“ The Governor General delivers in the following Reply to Mr. Francis's Minute of the 5th instant.

“ Governor General.—I am thankful to Mr. Francis for the Promise which he has given me of his Assistance in promoting the Arrangements which may be formed for the new Settlement, even though they may not be such as he approves. After such an Assurance, even his Objections to the Office which I have recommended for that Purpose, have a Claim to my Acknowledgments; and I hope to benefit by his Assistance, more cheerfully given, when he shall discover that our Objects are the same; and that though we do not agree in our Opinion of the Means which I have recommended, yet the Difficulties which he apprehends in the Execution of them, are not only surmountable, but such as have always yielded to the same Mode of Investigation, constantly and successfully practised under the Mogul Government.

“ When I recommend the Institution of an Office for compiling the Materials which were necessary for the new Settlement, I meant no more than to shew the Necessity of it, and to propose the ultimate Objects of its Researches. It was as foreign from my Purpose, as it would have been premature, to mark out every Stage of its Progress, which, from the Nature of it, must be subject to Variations, or to determine either the precise Mode, or Amount of the Settlement, which it was the professed Design of this Investigation to ascertain.

“ For the Satisfaction however which Mr. Francis requires, I will endeavour to give him a fuller Explanation of the Design of the Office which I have recommended, and of the Detail of Business which is to be, or may be, assigned to it.

“ I have already said, that the general Design of it was to obtain an accurate State of the real Value of the Lands, as the only Ground Work on which the new Settlement could be constructed; I mean, on which it could be constructed, so that the Burthen of the Public Revenue should rest with an equal Weight upon the whole Body of the People.

“ On this Subject Mr. Francis's Minute contains two Propositions.—First, that the Inconveniences of an unequal Assessment ought not to be regarded; and next, that those Inconveniences do not admit of a Remedy.

“ More used to the Practice of Business than to Speculation, I beg to be excused from discussing these Propositions as general and abstract Questions; and instead of considering them as Principles which are equally applicable to any Country, I wish to confine them merely to the Revenue of Bengal.

“ The Opinions of Montesquieu, Sir James Stewart, and Doctor Smith, which are produced to shew that an unequal Assessment is attended with few or no Inconveniences, may be just as to those Countries where the Land Tax bears but a small Proportion to the Amount of the Produce; and any Attempt to alter the Proportions of a Land Tax which have been established by ancient Custom, might, as they suppose, give Rise to those Discontents, which, amongst a high spirited People, every Innovation is apt to excite; but the Case is very different in Bengal.

“ Let

“ Let us suppose, for Instance, that in England the Proportion of the Rent of Land taken by Government is a Fifth Part, and in some Places, from an Inequality in the Assessment, amounts only to an Eighth Part.—In the First Case, the Proprietor after paying the Tax will have Four Fifths or Sixteen Shillings in the Pound, and in the last Seventeen Shillings and Sixpence, to himself. But in Bengal Nine Tenths of the Nett Produce, or Eighteen Shillings in the Pound, are generally supposed to belong to Government, and the remaining Tenth to be the Property of the Landholder; or in other Words, a Zemindar whose Land produces 1,00,000 Rupees pays 90,000 to Government, and has a Right to retain the remaining 10,000 to himself; but should this Land happen to be rated at 1,05,000 Rupees, or only One Twentieth Part above its Value, then instead of 10,000 Rupees, the Possessor would receive only 5,500 Rupees, or little more than One Half of his just Income; while another Man who inherits a Zemindarry of equal Value, but which is reputed to be worth only 95,000 Rupees, or One Twentieth Part under-rated, will instead of 10,000 Rupees enjoy an Income of 14,500 Rupees. Thus the Inaccuracy of a Twentieth Part in the Valuation, more or less, will render the Estate of one Zemindar almost Three Times more profitable to him than that of another, whose Lands are of equal Value; and this operates not only as an Inconvenience, but as a heavy Oppression.

“ It is easy to shew, that the unequal Valuation of Lands in Bengal is productive of this Evil, and that while some Landholders, after paying their Rents, retain enough to live in Ease and Affluence, others are reduced to Beggary, and unless the Mercy of Government interposes to save them, their Estates are sold to make good the Portion of Revenue which has been arbitrarily assessed upon them. The Truth of this Fact is established by the Disposal which has been made of Zemindarries on the Division of Dacca, by the Sale which was proposed of the Rajah of Nuddea's Lands, by the Number of wealthy Farmers who have been ruined in the Bahar Province, and by the Sale of Talooks lately made by the Council at Moorshedabad.

“ Nor is any Alteration in the Assessment likely to produce Discontents, because it will be no Innovation. The ancient Tumar and Tuckseem, or Distribution of the Land Rent which was formed about Two hundred and twenty Years ago, has long since ceased to serve as a Rule: Under the old Government, this Distribution was annually corrected by the Accounts, which the Zemindars and other Collectors of the Revenue were bound to deliver into the Office of the Canongoes or Kings Registers, of the increased or diminished Rents of their Lands, and of the Amount of their Receipts.—But the Neglect of these Institutions, the Wars and Revolutions which have since happened in Bengal, the Inundations of Rivers, the Increase of Cultivation in some Parts of the Province, and the Decrease in others, and the unequal Depredations of the Famine, have totally changed the Face of the Country, and rendered the Tumar Rent Roll a mere object of Curiosity. The Land Tax has therefore been collected for these Twenty Years past upon a conjectural Valuation of the Land, formed by the Amount of the Receipts of former Years, and the Opinions of the Officers of the Revenue; and the Assessment has accordingly, been altered almost every Year.

“ Having thus shewn that the present Assessment is unequal, that the Inequality is productive of great Evils, that it is fluctuating and annual, and that therefore any Alteration in the Distribution of it, is not likely to occasion Discontents, I hope that Mr. Francis will see with me, the Expediency and even Necessity of obtaining an accurate State of the Value of the Lands, to enable us to lay the public Revenue with an equal Weight throughout the whole Province. Considerations of the same Kind, though not so weighty as those I have mentioned, induced the most free People in the World to adopt a similar Measure, and in the Year 1692 all the Lands in England were valued anew.

“ Mr. Francis's Second Proposition is, that the Inconvenience of an unequal Assessment is not capable of a Remedy, because it is impossible to obtain an accurate Valuation of the Lands. I confess the Attempt is not unattended with Difficulties; but as I have been led to propose it from a Conviction of its Necessity, I trust, if I am supported by the Board, to be able, in a great Measure, to surmount them. I will not pretend to fix with Precision the Means by which this Design is to be prosecuted. These must, in a great Measure, arise out of the Business in its Progress; but by pointing out some of the principal Sources from which I expect to derive Materials, I hope to shew that the present Juncture is peculiarly favourable to the Attempt, and that the Work is not undertaken without a fair Prospect of Success.

“ An accurate Valuation of the Lands is to be made either by an actual Survey and Measurement, or from the Accounts of the Land Rents. The first Mode is too tedious, expensive and uncertain to be adopted. I would propose to make Trial of the second. The Accounts of Revenue in Bengal are kept with a Regularity and Precision unknown in Europe. They are drawn out, I understand, nearly on one uniform Plan, and are balanced and adjusted at fixed Periods. A separate Account Current (or Kurca) is kept for every Reiat or Tenant, in which the different Articles which compose his Rent for one Year are stated on the one Side, and the Payments which he makes are entered on the other. The Whole of these Accounts are afterwards annually digested into Abstracts, which contain a particular State of the Rent, the Receipts and the Arrears of each Village. The Abstracts of all the Villages form the Purgunnah Accounts, and the general State of the Rent of the Zemindarry or Capital Division, is composed of the Aggregate of the Accounts of the Purgunnahs. In order to convey an Idea of the

“ distinct

“ distinct and circumstantial Manner in which these Accounts are kept, I have annexed Translations of the two first, viz. that of a single Reiat, and that of a Village : It will be unnecessary to produce Specimens of the two last ; all these are called Musufful Accounts.

“ The History which I have given of these Accounts will serve, I hope, to redeem their Character from the Imputation of being loose, confused, and intricate, and shew, that if we can succeed in procuring them, they will furnish us with ready formed Abstracts of the actual Collections, which will require only to be compared. For this Purpose it will not be necessary to examine the Accounts of every Reiat, nor of every Village. The inferior Accounts are useful only as Checks to the greater. From the regular Process in which the Whole are formed, it will be seen how easily the Falseness of any Account may be detected, since it is impossible to falsify the Sum Total of a Pergunnah, without falsifying all the Parts of it, which of Course will differ from those of each Village ; and those again if forged will be corrected by the Account Currents of the Riats. Thus the Fidelity of the greater Accounts when suspected, may be easily tried by a Reference to the subsidiary Accounts, which can hardly be falsified, as it is almost impossible to join in one Combination so many People as must be concerned in it.

“ All these different Accounts are publicly kept in their respective Cutcheries. It is by them that the Rents are collected, and they are always delivered over to such Person as has the Charge of collecting them, whether Zemindar, Sezawul Wadadar, or Farmer. I am sensible that to obtain the original Accounts of the Rents of every Part of Bengal will be a very difficult Task ; for the inferior Zemindars will, as Mr. Francis has observed, probably use every Artifice to conceal the Accounts of their Rents, or perhaps even attempt to fabricate them. But this in the large Divisions, for the Reasons which I have already given, will be almost impossible ; besides as the Farmers are bound by their original Engagements to deliver to Government an Account of their Collections, as the Custom of the Country requires that they should give up the Musufful Accounts at the Expiration of their Lease, and as they have little Interest to withhold them, since they must yield up the Farms at the End of the Year, the present Juncture is more favourable for procuring a true Valuation or Mustabood of Bengal than any other. It would be almost impossible to form it afterwards, in the Event of the Lands being restored to the Zemindars ; and thus one of the great Objects of the Five Years Settlement, the Discovery of a Rule for an equal Assessment, would be lost.

“ To collect these different Accounts, and to digest and methodize them for our Guidance in forming a new Settlement, is one of the principal Objects of the temporary Office which I have proposed.

“ I am sensible that it would be a far more easy Task to prepare the Materials for a new Settlement in the Manner which Mr. Francis proposed, by taking the Accounts of the actual Receipts of Rent for Three Years past, and correcting them by the Opinions of the Provincial Councils, on such Districts as have been either favoured or over-rated. But although I consider these as useful Informations, I do not think that we can by them alone ascertain the real Value of the Lands, or safely make them the only Grounds of the future Settlement of the Revenue. Many of the Lands have suffered by Drought, Inundations, or other temporary Calamities, which, the affecting the immediate Collections, cause no Diminution in their real Value. In some Instances the Rents have been completed by Loans, or made up from the private Fortunes of the Landholders : In other Places they have been enabled to fulfil their Engagements by oppressive Exactions. The Value of some Lands on the contrary have been fully equal, or even superior to the Rent assessed upon them ; but the Collections have fallen short through the Neglect or Incapacity of the Farmer, or Zemindar, or have been received and dissipated in idle Expenses, or been embezzled by the Collectors. In each of these Cases, and every District in the Province without an Exception is liable to one or other of them, the actual Receipts of Government would prove a false Estimate of their Worth, and often widely remote from it : And if a Settlement were formed upon such a Principle, what would it be but to hold out a Reward to Fraud and Dissipation, to encourage the Zemindars and Landlords to keep back their Payments, as the Means of diminishing their Rents, and to punish Punctuality by loading it with a full Share of the Assessment.

“ But, to correct the Irregularities of an Estimate constructed upon such uncertain Grounds, the Opinions of the Provincial Councils are thought sufficient. Now these must be formed either on Materials such as I have described, or on the Opinions of their dependant Officers ; the former would be useful, and spare the Labour of further Researches ; the latter, if the Evidence of Accounts can be procured, ought not to be admitted as Authority in a Matter of such great Importance, and in which an Error in the Valuation of the Land, even of a Twentieth Part, may reduce an antient Family to Beggary, or double the Income which it formerly enjoyed. Surely it will not be urged as an Objection to official Accounts, that they may be fraudulent, and yet proposed to take private Opinion for Authority. The Forger of false Accounts is liable to the severest Penalties, and those Accounts are liable to Detection ; but the Errors of Opinion are always difficult of Conviction, nor has any Government ever devised a Punishment for those who maintained them.

“ To elucidate and support many of the Arguments which I have above used, I will only state One Case.

“ At the Close of the last Bengal Year, several Talookdars, or petty Landholders, in the Neighbourhood of Moorshedabad, fell largely in Arrears in the Payment of their Rents, and their Lands were sold to make good the Deficiency: Some of these Families had enjoyed their Estates for above an hundred Years. The Board, knowing that the Revenue is unequally assessed, and in some Places beyond the Abilities of the Proprietors, wrote to the Provincial Council at Moorshedabad, to know whether the Estates of these Talookdars had been really over-rated, or whether the Arrears were to be attributed to Neglect or Mismanagement. They have lately returned an Answer, with Accounts of the Rents, Receipts, and Arrears of all these different Talooks, by which it appears that the Rents had in general been paid with much Regularity for the Three preceding Years, but had fallen in Balance during the last. One of the Talookdars (Shezadpoor), whose annual Rent is about 15,000 Rupees, had last Year paid no more than 4,000 Rupees in Part of it. The following is an Extract of the Answer to our Enquiries as to the Causes which had thrown these Talooks into Arrears.

“ How far these Balances have been owing to the Neglect and Mismanagement of the Proprietors, or to the Lands having been over-rated, it is not in our Power accurately to determine; but from the Collections having been regularly kept up for Three Years, and falling so much in Arrears the Fourth, it affords Room for supposing that the Complaints of the Zemindars of the Drought of the Season were not without Foundation, and this might be the Cause of that Year's Deficiency.”

“ It appears therefore, that the regular Payment of Rents for Three Years is no Proof of the Proprietor's Ability to continue to pay the same Rent; that if he falls in Arrears his Estate is sold; and that a Provincial Council, of which both the English Members and the native Officers in Point of Abilities yield to none in Bengal, are unable to say whether any particular District has been favoured or over-rated; for if it is not in their Power to give an Opinion of the under or over Valuation of the Rents of an Estate in their own Neighbourhood which had been sold, and the Rent of which amounts only to 15,000 Rupees, how can we expect exact Reports concerning the Rents of the Whole of their Division, which amounts to Fifty Lacks of Rupees. The Truth is, that it is impossible to form a just Judgement of the Value of Lands, and consequently of the Revenue which they should pay, but by an Inspection of their Mofussil Accounts.

“ But admitting that the Receipts of Revenue, and the Opinions of the Provincial Councils should appear to us satisfactory Grounds for establishing a fixed Assessment, yet the Concurrence of the Zemindar also will be necessary. Suppose the Case of the Talook abovementioned, Shazadpore; we offer to fix the Rent at 15,000 Rupees; the Possessor declares it to be over-rated. Upon what Grounds can we compel him to subscribe to our conjectural Valuation? or how can we admit his Pleas without examining them? Should we however persist in dictating our own Terms, the Proprietor will very probably accede to them like the Rajah of Nuddea, in the Dread of losing his Talook, which, if unequal to the Assessment, must afterwards be sold, not for any Crime or Fault of the Proprietor, but for the Despotism of Government in exacting from him what he had not to give.

“ If the Commands and Exigencies of the Company will admit of it, I shall be ready to join in lowering the Revenue; but the peculiar Necessities of this Government will not perhaps allow of a considerable Diminution of the Rents; and whatever it may be, it will be felt as a Relief only according to the Distribution of it, and the Manner in which it is proportioned to the State and Abilities of those who are to pay it.

“ I concur entirely with Mr. Francis in his Arguments against raising the greatest possible Revenue from Bengal, by destroying all the intermediate Orders of Men between the Ruler and the Cultivator. But as my Object in endeavouring to procure an accurate Account of the Rents is only to make an equal Distribution, and has no kind of Connection with the Proposition of raising the largest Revenue, nor with that of destroying the intermediate Orders of Men, I imagine it is unnecessary to follow Mr. Francis through all the abstract Reasonings which he has introduced on Subjects so remote from my own Intentions.

“ Besides the immediate Business of the proposed Office, I have recommended, as a Second Object of its Researches, the better and more effectual Regulation of Pottahs for the Security of the Riats in the perpetual and undisturbed Possession of their Lands, and to guard them against arbitrary Taxations. The Words, ‘perpetual Possession,’ and ‘their Land,’ which may be mere Inaccuracies of Expression, for they were not meant to convey the Idea of any positive or exclusive Right of Possession, have been noticed by Mr. Francis as contradictory to the Rights of Property which are vested in the Zemindar. I shall not here attempt to account for the Distinctions of Property as they are understood in this Country; it is sufficient for me to observe, that while the Riat pays his Rent, the Zemindar has no Right to dispossess him, nor can the Zemindar by any legal Right exact a higher Rent from him than his Pottah prescribes.

“ Mr. Francis seems to suppose, that there is no Necessity for the Interposition of Government between the Zemindar and the Riat. He observes, ‘that if they are left to themselves, they will soon come to an Agreement, in which each Party will find his Advantage.’ This would be a just Conclusion, if the Zemindars were all capable of distinguishing what was for their Advantage: But it is a Fact which will with Difficulty obtain Credit in England, though the Notoriety

“ will

“ will justify me in asserting it here, that much the greatest Part of the Zemindars, both of Bengal
 “ and Bahar, are incapable of judging or acting for themselves, being either Minors, or Men of weak
 “ Understandings, or absolute Idiots. This Circumstance, and the consequent Oppressions which
 “ are exercised by those who act for them without Interest in the Prosperity of the Zemindarry,
 “ renders it necessary to provide for the Security of the Reiat by Checks and Regulations. It is
 “ to be observed also, that there are two Kinds of Reiat. The more valuable are those who
 “ reside in one fixed Spot, where they have built themselves substantial Houses, or derived them
 “ by Inheritance from their Fathers. These Men will suffer much before they abandon their
 “ Habitations, and therefore they are made to suffer much; but when once forced to quit them
 “ they become vagrant Reiat. The vagrant Reiat (as Mr. Francis observes) have it in their
 “ Power, in some Measure, to make their own Terms with the Zemindars. They take Land at
 “ an under Rent, hold it for one Season; the Zemindar then encreases their Rent, or exacts more
 “ from them than their Agreement, and the Reiat either desert, or, if they continue, they hold
 “ their Land at a Rent lower than the established Rate of the Country. Thus the ancient and
 “ industrious Tenants are obliged to submit to undue Exactions, while the vagrant Reiat enjoy
 “ Lands at Half Price, which operates as an Encouragement to Desertion, and to the Depopula-
 “ tion of the Country.

“ The general Subject of Pottahs, and the Abuses and Oppressions arising from their present
 “ Uncertainty, and the Variety of Articles that compose the Reiat Accounts, have been often
 “ Matter of just Complaint; and I believe every Member of the Board is satisfied that they require
 “ to be reformed. All that I now propose is to collect the Materials of Information on this
 “ Subject, to be laid before the Board for their future Determination on the most effectual Means
 “ of regulating the Pottahs. At present I am not prepared to propose a complete Plan, and
 “ decline giving a premature and partial Opinion, while I am professedly seeking for the Grounds
 “ to determine it.

“ Signed at the End of the Consultation,

“ Warren Hastings,
 “ J. Clavering,
 “ P. Francis.”) (a), §

Read, from Book 209, already delivered in, the following Extract of a Consulta-
 tion of the 14th of March 1777, beginning at Page 111 of the same Book.

“ Fort William, the 14th March 1777.

“ At a Council; Present,
 The Honourable Warren Hastings Esquire, Governor General;
 Lieutenant General Clavering;
 Richard Barwell, } Esquires.
 Philip Francis, }

Rev. Dept.
Friday.

“ Governor General.—I move that the following Letter be written to the Chief and Council at Moorshedabad. Governor General's Motion in Consequence.

“ Complaint having been made by Ram Ram Bose, the Aumeen of Bettoreah, that many of
 the Zemindarry Officers refuse to deliver to him the Accounts of the Collections under their
 Charge; and, in other Respects, oppose him in the Execution of his Commission: We hereby
 positively * direct, that on any Complaint being made to you, either from him or from any other * Sic in Orig.
 Aumeens, who have been deputed into the Division, you do immediately take the most effectual
 Means to support and enforce their Authority, by carrying such Papers of the Collections as they
 shall require, conformally * to their Instructions, to be put into their Possession, by compelling the * Sic in Orig.
 Attendance of such Revenue Mohrirs, as may be required by the Aumeens to explain them, and
 by arresting and punishing those who shall dare openly to oppose or disobey the Orders of Govern-
 ment in these Instances (b).

Signed at the End of the Consultation,

“ Warren Hastings,
 J. Clavering,
 Rich^d Barwell,
 P. Francis.”

Read, a further Extract from the same Book, and same Consultation, beginning at
 Page 323, of the same Book, as follows.

“ 2d Proposition:—I object to the proposed Letter to the Council of Moorshedabad, since under
 Colour of the following Words, “ by arresting and punishing those who shall dare openly to oppose
 or disobey the Orders of Government in these Instances,” the Council of Moorshedabad, or their
 Officers, may inflict corporal Punishment *ad libitum*, by flogging and other Modes of Torture.
 I do not myself possess, nor wish to possess, the Power of inflicting corporal Punishment upon
 Mr. Francis's Opinion on the several Propositions of the Governor General.

(a) Vide Appendix, N^o CLXXIV.

(b) Vide Appendix, N^o CLXXV.

any Man at my own Discretion ; of course I cannot delegate such a Power to another. As long as the Ranny of Radjeshy pays her stipulated Revenue to Government, we can have no Right or Pretence to interfere in the internal Management of the Zemindarry, nor, of course, to arrest, imprison, or punish her Officers and Servants for refusing to deliver up the Papers belonging to her Family and Estate. Besides, that under Colour of demanding Papers, and a supposed Refusal to deliver them, I know not what Acts of Tyranny may not be exercised by a Set of the lowest Men, suddenly vested with arbitrary Power, over the Persons and Property of a timid helpless People. That they will tax the Country for their own Use, is one of the smallest Evils to be apprehended from the Establishment of the present Inquisition. When the Lash is once raised, when Tortures may be threatened, and put in Practice, at the Discretion of an Aumeen ; what Consideration is it to limit him to the Gratification of one Passion only ? And whither shall the wretched Victim of his Cruelty fly for Protection, when every Thing he does, is done in the Name, and by the Authority, of a Government under which the whole Country trembles ?

“ Great Pains have been taken to prove, that the Powers in Question belonged to the Office of Aumeen under the Mogul Government. The Time spent in maintaining this Proposition would have been idly employed, if it was not meant to prepare Precedents for Practice. I neither admit the Existence of such Precedents, nor will I, in any Shape, be a Party to the Practice supposed to be warranted by them.” (a)

Read, a further Extract from the same Book and Consultation, beginning at Page 311, of the same Book, as follows :

General Clavering's Opinion on the several Propositions of the Governor General.

“ Proposition the Fourth.

“ A Letter to the Council of Moorshedabad, to punish the Officers of the Zemindarry of Radjeshy, on the Complaint of the Aumeen and his Dependents.

“ This Letter, partly dictated by Mr. Hastings, and partly written with his own Hand, exhibits in so lively a View the State of Civil Society in Bengal, and particularly the Condition of the great Zemindars, that I most humbly intreat the Court of Directors to give it a few Moments of their Attention. They will judge, whether the Supreme Court of Judicature, which Mr. Hastings has said was a Blessing to this Country, has had yet that Effect, or whether, in any Country where any Kind of Laws are existing, Men, and particularly the Officers of a great Zemindary, may be taken up on the Complaint of a low Man, (stiling himself an Aumeen, or the Delegate of an Aumeen), confined and flogged for not obeying Orders of which he is entirely ignorant.

“ The Court of Directors know that the Instructions to the Aumeens were not even communicated to the Provincial Councils by Government ; and unless private Orders have been given to them by the Governor General in his new Office, by virtue of the Power which he has assumed of so doing, they too must be ignorant, whether the Orders of Government are disobeyed or not, but must flog every One at the Discretion of the Aumeen.

“ The Court of Directors, I hope, will forgive me, if I refuse fixing my Signature to this Letter. I will not authorise, with my Name, the Commission of the Enormities which it may produce. Moreover, I consider it as owing its Existence to the same vindictive Spirit which is let loose on the Ranny of Burdwan, Mr. Goring, Mr. Roswell, Mr. Wodsworth, and Mr. Fouke. I apprehend, whilst the Zemindars and Farmers pay their Rents punctually, Government has no Right to interpose its Authority in the Management of their private Affairs, or their Zemindars. I consider therefore * very Interposition of the Authority of Government with them, further than to compel them to pay their Rents, or for Purposes of Police, as so many Acts of Oppression and Tyranny, against the Exercise of which the late Act of Parliament was intended as a Relief ; why it has not had this Effect, I most ardently hope the Legislature will investigate.” (b)

* Sic in Orig.

The Counsel for the Defendant desired a further Extract from the same Book and same Consultation, beginning at Page 353 of the same Book, might be read.

The same was read, as follows :

§ (“ 21st March. Received the following Minute from the Governor General on the foregoing “ Subject.

“ Fort William, 21st March 1777.

Governor General's Minute in Answer to General Clavering.

“ General Clavering says, that ‘ in the Minute produced last Friday by me at the Revenue Council introducing Four separate Propositions, with Mr. Barwell's Approbation annexed to them, the Court of Directors will see a Specimen of the concise Manner with which the Resolutions of those Gentlemen become Acts of Government.’ I do most painfully regret that this Instance will not serve as a true Specimen of the Dispatch of Business at our Council Board. “ It was, in Reality, but an Effect of Necessity. The whole Morning of the 14th instant, in which those Propositions were introduced, was wasted in tedious Debates. It was the last Time “ that we were likely to meet before the Close of the last Dispatches of the Season, and I deemed

(a) Vide Appendix, N° CLXXV.

(b) Vide Appendix, ibid.

“ it necessary that the Court of Directors should be advised by it of the Measures which I proposed to carry into Execution. I drew up the Minute while the General and Mr. Francis were in Possession of the Council Table, and seized the first Interval which was allowed me to introduce it, which was not till after the Hour of Two in the Afternoon. Had I waited to make each a separate Motion, and to take my Share, as usual, in the Dialogue, which * which was to follow it, an entire Week would not have been sufficient, though the Board had met every Day, to bring them all to a Conclusion. On this Occasion I cannot avoid taking Notice of the Use (whether proper or improper, my Superiors will judge) to which the General has of late especially applied the Privilege, which he undoubtedly possesses, of recording his Sentiments by Minutes dictated at the Council Board. Scarce any Subject, even of the most trivial Nature, is allowed by him to pass without long Comments and Discussions, all more abounding in personal Reflections, of the most injurious Kind, upon my Character, than in Elucidations of the Points in Questions†. While he is thus employed, I am doomed to the Necessity either of exercising my Patience by sitting in silent Attention to the General, during whatever Length of Time he chuses to consume in this Mode of gratifying his ill Humour against me, or of composing my Mind in the adjacent Apartment to other Business, which I can seldom find an Intermission to introduce, or to adjourn the Council where my Presence cannot avail to the Dispatch of real Business, and afford fresh Cause of Offence by my Departure. If this Picture shall appear to be overcharged, I will beg Leave to refer the Honourable Court of Directors to the Proceedings of the 24th of last Month, in which the Names of Lord George Germaine and Mr. Whitworth are called in Aid, to load me with the blackest, though indirect Imputations, for the Truth of it.

“ I will frankly own, that I did ‘ mean only to take the Opinions of General Clavering and Mr. Francis officially as usual.’ In other political Assemblies it is not uncommon for the Minds of Men, either warped by the Heat of Opposition from their proper Direction, or blinded by particular Interests, to quit their first and common Object, and run into personal Animosities. But this has been the State of the Council of Bengal since the 21st of October 1774, the Day on which it first assembled, to the present Hour invariably. Our Superiors will have long since ceased to look in our Consultations for temperate and friendly Communications in the Search of

“ Truth, or the Pursuit of Measures tending solely to promote the public Service, ^{nor} will * they * Sic in Orig. expect to see any Motion of mine retracted from a Conviction impressed on my Mind, by the Assurances that it was made only with a View to private Advantage, or for the sake of supporting an universal System of Licentiousness, Oppression, and Corruption.

“ When the General and Mr. Francis shall condescend to shew me not that Respect which is due to the Head of that Government, of which they were appointed joint Members by the King and Parliament of Great Britain; this I do not expect, but the common Forms of Civility which are mutually due from Men placed in an equal State of Society; when they shall receive my Opinions with Candor, and answer them from no other Impulse than a Desire of uniting with me in the Support of the Company’s and the National Interests committed to our common Charge, I shall not have a Wish to avail myself of the constitutional Privileges, scanty as they are, which are annexed to my Station, and shall ever wait cheerfully for the Aid of

“ their Judgement to determine my own. ^{But} * as this is impossible, I shall think myself not * Sic in Orig. only justified in chusing such Measures, in Conjunction with the only Member of the Board on whom I can rely for Assistance, as shall appear to us most conducive to the Service, and † employ the constitutional Powers of this Government, while I can, to carry them into Execution, nor for this Purpose shall I deem it necessary to wait the Close of every Series of Argumentation with which the other Members may endeavour to protract it. † Sic in Orig.

“ How long the Will of our Superiors, or the Necessity of the Times, may suffer the Powers of this Government to be wasted in this intestine unnatural Conflict, I know not; but I will venture to pronounce, that they will never be effectually employed to the Aggrandizement of the British Influence in India, or even to the Establishment of a State of permanent Order in this Country, till the Deliberations of the Board shall appear in their Records only from Resolutions which they produce.

“ I shall now follow the General’s Minute through his Objections to each of my Propositions.

“ Proposition 4th.—Whether the Measure of deputing Aumeens to investigate the Revenues of Bengal was expedient or proper in itself, is a Point which the Court of Directors will determine. It cannot be disputed that it was a formal and constitutional Act of Government, and it is therefore the Duty of Government to support and give it its due Effect. The General might surely have spared the harsh Censure which he has passed on the Supreme Court of Judicature for its supposed Forbearance or Inefficacy to check an Evil of such Enormity, if he had recollected the Power which has been given to the Aumeens; and which was no more than to demand the Papers containing the Accounts of the Publick Revenue, which are the allowed Property of Government, and to require the Attendance of those who were in Charge of them, and who, by the Laws of the Land, and the universal Sense of the People, will be adjudged to deserve a much

" severer Punishment than the British Government has yet inflicted on Offences of this Kind, for
 " a Disobedience of it's Commands, or an open Opposition to its Authority.

" These Observations on the General's Minute having been drawn to a greater Length than
 " I either intended or suspected, I shall forbear to make any particular Comment on that of Mr.
 " Francis, to which I believe the same Arguments will serve equally for a Reply." §

(Signed at the End of the Minute)

" Warren Hastings."

The Counsel for the Defendant desired Mr. Barwell's Minute in the same Consultation might also be read.

The same was accordingly read, beginning at Page 367 of the same Book, as follows :

Mr. Barwell's
 Answer to
 General Clavering's Minute.

* Sic in Orig.

§ (" Mr. Barwell.—I shall be as concise as possible as to the Strictures passed by General Clavering
 " on the Governor General's Four Propositions, and my Assent to them. Being satisfied in my
 " own Mind of the Propriety of my Support of them, I shall decline a fruitless Controversy. The
 " Records are already swelled with Instances little to the Credit of our Debates; for almost every
 " Page presents to the Publick unjust and harsh Reflections, captious Ill-humour, and injurious
 " Insinuations. These have marked General Clavering's Minutes for a Length of Time; and in
 " the present Temper of his Mind, appear to me to pais with him for Reason and Argument; wit-
 " nels the indiscriminate Censure he gives to every Measure proposed by the Governor: Witness
 " his constant Introduction * irritating Allusions, however foreign, upon every Topick of Debate:
 " Witness his strained Application of the Speeches delivered by Lord George Germain and Mr.
 " Whitworth, in the Honourable the House of Commons: And lastly, witness in these Instances
 " his Endeavours to obstrust and protract the publick Business. I am not then surpris'd my Assent
 " to the Governor's Four Motions should give Dissatisfaction to General Clavering; nor am I sur-
 " priz'd that the Governor General should have been compelled to deviate from his usual Mode;
 " and, instead of appearing, as he has almost invariably done, assisting in the Deliberations of his
 " Council, leading them in this Instance. I confess I see many Objections to leaving publick
 " Business loose and at large before the Board.—There is a Degree of Responsibility annexed
 " to the Office of the first Person in this Government; but on this Subject I shall reserve myself
 " to a future Occasion." (a)

(Signed) " Richard Barwell."

(Signed at the End of the Consultation)

§
 " Warren Hastings,
 J. Clavering,
 Rich^d Barwell,
 P. Francis."

Read, from Book 221 already delivered in, the following Extract of a Letter from the Court of Directors to the Governor General and Council at Fort William, dated the 30th January 1778, beginning at Page 93 of the same Book.

Revenue Conf.
 11th March
 1777, Fol. 111,
 14th March,
 Fol. 65.

* P. 73.

Par. 60. " Our Letter dated the 4th of July 1777, contained our Disapprobation of the Governor General's Scheme for a new Investigation of the Provinces, by the Deputation of native Aumeens into the Districts.—We now read on your Proceedings, that Nundololl, one of those Aumeens, has been furnished with a Guard of 50 Sepoys from Dacca without the Knowledge of the Commander in Chief; and from your Debates relative to the Power of the said Aumeens, it appears that Nundololl has also deputed subordinate Aumeens, for whose Protection the Governor General seems to think Part of this Military Force might be necessary *. We confess ourselves alarmed at these Proceedings, and more so when we consider that Zemindars and other respectable Inhabitants of a Country, from which the Company and the Nation draw immense Advantages, should be liable to vexatious Inquisitions, and even to the Possibility of suffering Abuses and grievous Oppressions from other Natives, vested with an Authority which we utterly disapproved, before we could have the Opportunity of preventing such Abuses.

14th March
 1777, Fol. 111,
 112, 133, 143.

61. " As the Whole of the Measure is equally repugnant to our Ideas of Humanity and of sound Policy, we have only to add, that if one Part of the Governor General's Plan be more exceptionable than the rest, it is that Order which enjoins the Provincial Chief and Council, " on any Complaint made by any Aumeen," to support and enforce the Authority of the said Aumeens, by compelling the Attendance of such Native Revenue Officers as the Aumeens might require, and by arresting and punishing those who should dare to oppose or disobey, what is styled by the Governor General and Mr. Barwell, the Orders of Government in those Instances.

62. " We observe, that General Clavering has signed several Letters in conformity to our Orders, though he has thought it necessary to protest against the Contents; but he hopes we shall forgive him for refusing to affix his Signature to the Order before mentioned. His Reasons for

such Refusal were, because he would not authorise, with his Name, the Commission of Enormities which it might produce. We find also, that Mr. Francis refused to sign it; and we are happy in testifying, that the humane Sentiments expressed by the General and Mr. Francis on that Occasion coincide entirely with our own." (a)

The Managers for the Commons informed the House, that they had finished their Evidence upon the Sixth, Part of the Seventh, and upon the Fourteenth, Articles of Charge.

Then Mr. Fox was heard, in Part, to sum up the Evidence upon the Sixth, Part of the Seventh, and upon the Fourteenth, Articles of Charge.

Then the House adjourned to the Chamber of Parliament.

Die Mercurii, 9° Junii 1790.

THE Lords being in their Places, the House resumed, the usual Proclamations made, and the Defendant appearing at the Bar, the Lord Chancellor informed the Managers for the Commons they might proceed to make good their Charge.

Mr. Fox was then heard to sum up the rest of the Evidence upon the Sixth, Part of the Seventh, and upon the Fourteenth, Articles of Charge.

Then the House adjourned to the Chamber of Parliament.

(a) Vide Appendix, N° CLXXVI.

Die Lund, 23^o Maii 1791.

THE Lords being in their Places, the House resumed, the usual Proclamations made, and the Defendant appearing at the Bar, the Lord Speaker informed the Managers for the House of Commons that they might proceed to make good their Charge.

Mr. St. John was heard to open the Fourth Article of Charge.

Then, to prove that in the Year 1774 an Order was transmitted from the Court of Directors to the Governor General and Council at Bengal, "that all Contracts should be publickly advertised;"

Read, from Book 58, already delivered in, the following Extract of Instructions from the Court of Directors to the Governor General and Council, dated the 29th March 1774, beginning at Page 49 of the same Book.

"Instructions from the Court of Directors of the United Company of Merchants of England trading to the East Indies to Warren Hastings Esquire, Governor General, Lieutenant General John Clavering, the Honourable George Monson, Richard Barwell Esquire, and Philip Francis Esquire, Counsellors, constituted and appointed the Governor General and Council of the said United Company, Presidency of Fort William in Bengal, by an Act of Parliament, passed in the last Session, intituled, "An Act for establishing certain Regulations for the better Management of the Affairs of the East India Company, as well in India as in Europe."

Par. 36. "As all the Company's Business which can conveniently be performed by Contract is so performed in Bengal, we have only to direct, That all Contracts, with the Conditions, be publickly advertised, and sealed Proposals received for the same; that every Proposal be opened in Council, and the Preference given to the lowest, provided sufficient Security shall be offered for Performance; and that all such Proposals, with all Proceedings thereon, be entered in a Book to be kept apart for that Purpose, and regularly transmitted to us.

(Signed at the End)

Joseph Sparkes,	Edw ^d Wheler,
Pet. Lascelles,	John Harrison,
Charles Boddam,	Jn ^o Woodhouse,
Jn ^o Mitchie,	Samuel Peach,
Charles Chambers jun.	Fred ^k . Pigou,
R ^d Hall,	Daniel Wier,
John Smith,	W ^m James,
George Tatem,	T. B. Rous,
George Cuming."	

To prove, that an exclusive Privilege of providing Ophium in the Bahar Province was granted to Meer Manneer in the Year 1773,

Read, from Book 215, already delivered in, the following Extract of a Consultation of the 23d November 1773, beginning at Page 3645 of the same Book.

"Fort William, 23d November 1773.

"At a Consultation; Present,
The Honourable Warren Hastings Esquire, President;
William Aldersey,
Philip Milner Dacres,
James Lawrell,
Henry Goodwin,
John Graham,
George Vansittart,

} Esquires.

Rev. Dept.
Tuesday.

"Resolved, That an exclusive Privilege be given to Meer Manneer, the Successor of Meer Ahruf, for providing Ophium in the Bahar Province: That he shall engage to deliver in Calcutta

Resolution
thereupon.

all which may be produced in the Bahar Province at 320 Sicca Rupees, of the Nabob Shuja ul Dowlah at 350, agreeably to the annexed Writing, which shall be sent to Patna for him to execute, that he shall deliver to the Dutch the usual Quantity with which they have been supplied, at the customary Price; that Half the Money shall be advanced immediately, and Half on the Delivery of the Ophium; that the Quantity delivered to the Company shall be sold on their Account by publick Auction, and that what may be required for the Settlement of Balamgangan shall be reserved for it, and invoiced at the medium Price of the Sales at the Auction.—The Board are induced to give this exclusive Privilege to Meer Manneer in Preference to any One else, because, being the Person who has for some Years been employed by the Gentlemen of Patna in this Business, he is the best acquainted with the proper Mode for managing it, and will account with them for any Advances which they may have already made.—As the Success of the Ophium Trade depends much upon its Quality, and the Exportation of any which is bad renders the Molays suspicious of the Whole, and thereby diminishes the Demand for it, and is injurious to this Branch of the Commerce of Bengal, the Agent shall be required to be particularly attentive to this Object; and as considerable Quantities of a bad Quality have of late been imported from Neinpar, and other Parts of the Nabob Shuja ul Dowla's Country, it is resolved, That as a Discouragement to such Importation, and the manufacturing of bad Ophium, an additional Duty of One Sicca Rupee per Seer be levied upon all Ophium not produced by the aforesaid Agent, and that Orders be in due Time issued accordingly. (a)

(Signed at the End of the Consultation)

“ Warren Hastings,
W. Aldersey,
P. M. Dacres,
James Lawrell,
H. Goodwin,
J. Graham,
George Vanfittart.”

The Managers for the Commons stated, they would next proceed to shew the Orders given by the Court of Directors in the Years 1702 and 1743, relative to Contracts.

Read, the following Extract from a Book, intituled, “ Bengal Standing Orders from 1702 to 1743,” already delivered in.

“ Consultations,

In the Commission and Instructions sent ^{to} Ship Tavistock, dated the 26 February 1702-3.

All Contracts
to be made in
Council.

Cash Accounts
to be paid
monthly, and
to be strictly
kept up.

Par. 5. “ Particularly we direct, that all Contracts for Goods bought and sold be made in Council, and not privately, or in any other Manner; and that the same be duly entered in your Consultation Book; that the Account of Cash be, Once a Month at least, read, passed, and signed in Council; that all Things be entered in the Books duly, and that they be posted up from Time to Time, so as not to be a Week behind hand unpotted upon any Pretence whatsoever.”

Read also, from Book 58, already delivered in, the following Extract of a Letter from the Court of Directors to the Governor General and Council at Fort William in Bengal, dated London, 15th December 1775, beginning at Page 776 of the same Book.

Par. 41. “ As the Revenue Council at Patna are of Opinion, that the Ophium Business may be more conveniently conducted by their Board than by our commercial Servants, on that Consideration only we direct, that the Provision thereof be continued under your Management; but that you consign the same, when provided, to our Board of Trade at prime Cost, who are to dispose thereof at public Auction, and to apply the Produce towards the Provision of our Investment.

(Signed at the End)

“ Cha' Boddam,
Pet. Lafcelles,
Tho' Rumbold,
J. Stables,
Edw^d Wheler,
Jn. Woodhouse,
W. Devaynes,

John Harrison,
John Roberts,
W^m James,
G. Wombwell,
Rob' Gregory,
John Michie,
Fred^k Pigou.”

(a) Vide Appendix, N^o CLXXVII.

The Managers for the Commons stated, they would next produce a Letter from the Governor General and Council at Bengal to the Court of Directors, relative to the Ophium Contract in the Year 1777.

Accordingly, read, from Book 400, already delivered in, the following Extract of a Letter from the Governor General and Council at Fort William in Bengal, to the Court of Directors, dated the 18th November 1777, beginning at Page 882 of the same Book.

Par. 120th. " In the 13th Paragraph of our Letter of the 20th September 1776, we informed you of our having continued the Contract for the Provision of this Article with the Contractors of the preceding Year.

Par. 121. " Mr. John Mackenzie having offered to provide this Article on the same Condition as those Gentlemen, for the Term of Three Years, and to pay to Government, at the Close of every Year of his Contract, Ten thousand Sicca Rupees, on Condition that, if he should require larger Advances than the Half, which the Terms of the former Contractors entitle him to, he should receive the same at his Requisition; and that he would give sufficient Security for the Public Money.

Par. 122. " We resolved therefore to grant the Contract to that Gentleman for Three Years certain, unless Orders from you shall be received within that Time to relinquish your exclusive Property in the Trade of Ophium, and to make it free; in which Case it is stipulated, that the Contract shall, notwithstanding, remain in full Force till the Expiration of the current Year, included within the Months of October and September, and then to cease. (a)

(Signed at the End)

" Warren Hastings,
Rich^d Barwell,
P. Francis."

The Managers for the Commons stated, they would next produce a Letter from the Court of Directors of the 23d of December 1778, condemning the above Contract for Ophium, and the Conditions thereof.

Accordingly, read, from Book 221, already delivered in, the following Extract of a Letter from the Court of Directors to the Governor General and Council at Fort William in Bengal, dated 23d December 1778, beginning at Page 559 of the same Book.

Par. 88. " We observe Mr. Mackenzie's Offer was, to pay 10,000 Sicca Rupees per Annum, as a Consideration for holding the Ophium Contract on the Terms of his Predecessors, and of being indulged with such additional Advances of Money as he might require; these Proposals you accept, without acquainting the former Contractor, or any other Person, with the Terms therein contained; but after Two Years Experience of providing Ophium by Contract, you should have ascertained, by advertising for other Proposals, whether the Price thitherto paid to the Contractor had been reasonable; or whether any other respectable Person would engage to provide it on Terms more advantageous to the Company; and as you acted otherwise, and, so far as appears to us, concluded a Contract of great Importance without advertising for Proposals, or making previous Enquiries, necessary to guide your Judgement therein, and to warrant the Measure, we therefore must disapprove your Conduct on that Occasion. (b)

(Signed at the End)

" R ^d Hall,	G. Wombwell,
W ^m Mills jun ^r .	W ^m James,
J. Stables,	L. Sullivan,
Tho ^s Cheap,	Jn ^o Woodhouse,
W. Devaynes,	Jn ^o Michie,
W. G. Freeman,	Joseph Sparkes,
Rob ^t Gregory,	John Roberts,
John Smith,	H. Fletcher,
	Samuel Peach."

The Managers for the Commons stated, they would next produce in Evidence an Extract from the Answer of Warren Hastings Esquire, delivered at the Bar of the House of Lords, to the 4th Article of Charge, admitting that he had transferred the Sale of Ophium from the Board of Trade to another Department, contrary to the Order of the Court of Directors.

(a) Vide Appendix, N^o CLXXVIII.

(b) Vide Appendix, N^o CLXXIX.

Whereupon,

Whereupon, the Counsel for the Defendant desired that the Whole of the said Answer might be entered as read.

The same is as follows :

“ ARTICLE THE FOURTH.

§ “ In Answer to the Fourth Article, the said Warren Hastings admits it to have been his Duty “ while Governor General of Bengal, strictly to attend to the Expenditure of Public Money, “ and more particularly in a Time of War and publick Distress, to be careful that those Revenues “ upon which the Welfare and Safety of the Empire did necessarily depend, should not be “ diminished or ruined by Dissipation or Prodigality, and should not be diverted from the Publick “ Service, or squandered for the Purpose of increasing his own personal Influence, or providing for “ his Dependants.

“ And also, that it was his Duty, in every Instance in his Power, to pay due Obedience to the “ Orders of the Court of Directors; but the said Warren Hastings humbly contends, such last “ mentioned Duty did not require Compliance with the said Orders in Cases where such Com- “ pliance would have been materially injurious to the Interests of the East India Company or the “ British Nation, or where some important Advantage to such Interests might be attained by a “ Deviation. And the said Warren Hastings says, that the Court of Directors of the East India “ Company, by the Thirty-sixth Paragraph of the General Instructions given to the Governor “ General and Council in March, One thousand seven hundred and seventy-four, reciting, that as “ all the Company’s Business which could conveniently be performed by Contract was so performed “ in Bengal, did direct as in the said Fourth Article is stated.

“ And the said Warren Hastings admits, That such express Order of the said Court was made “ in the Year One thousand seven hundred and seventy, as in the said Fourth Article is stated; “ and that divers other Orders and Commands to the same Purpose and Effect may have been “ issued by the said Court of Directors at different Times to their Servants in India.

“ And the said Warren Hastings admits, That the Opium produced in Bengal and Bahar is a “ very considerable and lucrative Article in the export Trade of the said Provinces, and that it “ has been for a considerable Length of Time managed under a Monopoly. And the said Warren “ Hastings admits, That of late Years, (that is to say) ever since the Year One thousand seven “ hundred and seventy-three, when, in consequence of a Proposal from the said Warren Hastings, “ the said Monopoly was taken from private Persons, by whom it had been before exclusively “ held without any Participation of the East India Company, into the Possession of the said Com- “ pany, great Advantage has resulted from the same to the said Company.

“ And the said Warren Hastings admits, That of late Years the Opium has been provided by “ Contract; but he says, that it would not have been expedient or conducive to the Interest of the “ East India Company, previous to the Contracts for this Commodity being made, or in the mak- “ ing thereof, to have observed and followed all the Rules and Regulations prescribed by the “ Directors of the East India Company in regard to Contracts in General.

“ And the said Warren Hastings says, That Doubts having arisen in Council at Bengal, whether “ the Management of the Opium Concern ought, as an Article of Revenue, to be lodged with “ the Governor and Council, or as an Article of Commerce, to be vested in the Board of Trade; “ and the same having been communicated to the Court of Directors, they were pleased to direct “ as follows: ‘ As the Revenue Council at Patna are of Opinion that the Opium Business may “ be more conveniently conducted by their Board than by our commercial Servants, on that Con- “ sideration only we direct that the Provision thereof be continued under your Management; but “ that you consign the same, when provided, to our Board of Trade at prime Cost, who are to “ dispose thereof at public Auction, and to apply the Produce towards the Provision of our “ Investment.’

“ And the said Warren Hastings admits it to have been his Duty, not only to be careful in the “ Expenditure of the Public Money in the making of Contracts, and in providing for the Public “ Service, but also to be particularly careful not to lavish the Money of his Employers in excessive “ Salaries and Emoluments to favoured Individuals.

“ And the said Warren Hastings admits, That the Court of Directors did order and direct that “ the Sum of Six thousand Pounds per Annum should be paid to the Commander in Chief in full “ for his Services as Commander in Chief, in lieu of Travelling Charges, and of all other Emolu- “ ments whatsoever. And the said Warren Hastings admits, that it was his Duty not to create by “ his Prodigality any publick Distress, and denies, that he was guilty of any Prodigality, or of any “ violent or oppressive Acts whatsoever. And the said Warren Hastings admits, that it was his “ Duty not to rob any Person whomsoever.

“ And the said Warren Hastings denies, That he did enter into any Contract of the Nature, or “ with the Views, or in the Manner, or which was productive of the Consequences, in the “ said Fourth Article mentioned.

“ And the said Warren Hastings denies, That he did authorize or approve of any enormous “ Salaries or extravagant Allowances, or did lavish away any Part of the Resources of the Com- “ pany, or of the Princes in Alliance with them, as in the said Fourth Article is stated.

“ And

" And the said Warren Hastings says, That it having been determined in Council that Opium should be provided by Contract, the Governor General and Council, the said Warren Hastings being Governor General, did, in the Year One thousand seven hundred and seventy-seven, when the former Contract was near its Expiration, unanimously agree to accept Proposals from John Mackenzie, for a Contract with him for Opium, to be provided on Terms nearly the same with, but more favourable than, the former Contract.

" And the said Warren Hastings admits, That the said Contract was granted for a Term of Three Years, without any previous Advertisement, it having been, by the said Governor General and Council, deemed for the Advantage of the East India Company to make a Contract for the said Commodity in that Manner, and for that Term.

" And the said Warren Hastings admits, That the Court of Directors of the East India Company conceiving, contrary to the Fact, that the said Contract had been made, not only without any Advertisement, but likewise without any previous Enquiries necessary to guide the Judgment of the said Governor General and Council therein, and to warrant the said Measure, did express their Disapprobation of the Manner in which they supposed the said Contract to have been made; but the said Warren Hastings denies, that the said Court of Directors did condemn either the Continuance of the Monopoly, or the Management thereof by Contract, or the Term of Years for which the said Contract with the said John Mackenzie had been made." §

✍ [" And the said Warren Hastings says, That the Governor General and the Council, he the said Warren Hastings being Governor General, did judge it expedient, and did accordingly resolve to transfer the Sale of Opium from the Board of Trade to another Department, which Measure, though contrary to the Letter of the Orders of the Court of Directors, it was conceived by the said Governor General and Council, would more effectually carry into Execution the Intentions of the said Court in giving the said Orders; and which Measure, with the Reasons for the same, was immediately communicated by the said Governor General and Council to the said Court of Directors, by a Letter, bearing Date the Twenty-fifth November One thousand seven hundred and eighty, and the same has been since continued." (a)] ✍

✍ [" And the said Warren Hastings further says, That in the Year One thousand seven hundred and eighty-one, at the usual and proper Period of making the Contract for Opium, the then Situation of public Affairs having rendered it more expedient to extend the Period for which such Contract should be made, beyond the Term of One Year, the Governor General and Council, the said Warren Hastings being Governor General did, in Consideration thereof, resolve, ' That the Contract for the Provision for the Opium produced in Bengal and Bahar should be granted to Mr. Stephen Sullivan for the Term of Four Years, on the same Conditions as it was then held by Mr. Mackenzie the then Contractor: ' But the said Warren Hastings denies that the said Contract was made with the said Stephen Sullivan on more advantageous Terms for the Contractor than the same would have been made with any other Person. And the said Warren Hastings admits, that the said Contract was made without advertising for Proposals, or receiving from the said Stephen Sullivan any written Proposals for the same;"] § ("and that the said Contract did not contain any Clause, providing that the same should be liable to be determined by the Orders of the Court of Directors. But the said Warren Hastings denies, that any Clause was inserted in the preceding Contract respecting the Determination of the same by the Court of Directors, in any other Event than that of their relinquishing the exclusive Property in the Trade of Opium, and making it free, in which Case the said Contract was to remain in Force only for the current Year, of which Event there had ceased to be any Probability prior to the Year One thousand seven hundred and eighty-one.") §

✍ [" And the said Warren Hastings denies, That he did take away Restrictions usually and providently imposed upon the Contractor in Contracts of that Nature; but he admits that he, as Governor General, and the Council, did resolve, that there being no longer Occasion for Inspectors to superintend the Manufacture of the Opium delivered by the Contractor, since the Reasons which induced the Board to appoint those Officers no longer existed, their Appointments should be abolished; and, in lieu thereof, it was in the said Contract of the said Stephen Sullivan stipulated, that, on the Arrival of the Opium at Calcutta, it should be subject to the Inspection and Controul of such Persons as the Governor General and Council might appoint for that Purpose. And the said Warren Hastings insists, that the Regulation substituted by the Governor General and Council, in lieu of such Inspection, did as effectually guard against the Commission of any Fraud by the Contractor, and was in other Respects more advantageous to the East India Company."] ✍

§ (" And the said Warren Hastings denies, That the said Contract was granted upon Terms extravagant or profuse, or for the Purpose of creating an instant Fortune to the said Sullivan; but, on the contrary, the said Warren Hastings avers, that the Terms of the said Contract were as advantageous to the East India Company as the Terms of the preceding Contracts made by or on the Part of the said Company, for the Provision of the said Commodity, and such as the said Warren Hastings and the Council at that Time did believe to be fair and reasonable."

(a) This Paragraph is the Extract now read in Evidence by the Managers for the Commons.

“ And the said Warren Hastings believes the said Sullivan to have been a Person properly qualified to execute the said Contract, and says, That a proper and sufficient Security was taken from him for the due Performance thereof.”

§ [“ And the said Warren Hastings denies, That the said Sullivan did not ever execute, or attempt to execute, the said Contract; but whether the said Sullivan did, on or before the Execution of the Articles between him and the Governor General and Council, transfer his Interest in the said Contract to John Benn Esquire, or whether the said Benn did afterwards transfer the same to any other Person, the said Warren Hastings declares himself ignorant, except as he has heard the same by Report since his Arrival in England, or has been informed by the said Articles, and the Proceedings before the Honourable the House of Commons, touching him the said Warren Hastings.]

§ [“ And the said Warren Hastings says, That the Governor General and Council, he being Governor General, did, in the Year One thousand seven hundred and eighty-one, declare, as the Truth was, that the Employment of the Shipping belonging to Bengal, in supplying the Coast with Grain, and the Difficulties and Obstructions apprehended in the Navigation of the China Seas from the Cruizers and Privateers which had been, and were expected to be fitted out from the Isle of France, Batavia, and other Places, to interrupt the Trade of the Eastward, had so much reduced the Demand for Opium, that they had found no Bidders at the Company's Sales at the Close of the last and the Commencement of the then Year, nor any Persons willing to become Purchasers of that Article at the moderate Price of Four hundred Rupees per Chest, at which it was afterwards exposed for private Sale; from which Causes almost the whole Produce remained on their Hands; but he denies that he ever monopolized Opium at an extravagant Rate, or that no Attempts were made by Persons employed by the Governor General and Council to sell the same at a low Price.]

§ (“ And the said Warren Hastings says, He does not know or believe that there were any Persons in Calcutta who had Authority to bid for the Whole, or the greatest Part of the said Opium, upon any Terms which it would have been for the Interest of the East India Company to have accepted. And the said Warren Hastings denies that he did, in order to favour any Individuals, borrow Money at a large Interest, for the Purpose of advancing the same to the Contractor last mentioned; but he says, that no other Advances were made to the said Contractor than such as were agreeable to the Terms of his Contract; and that the Sum of Money mentioned in the said Fourth Article to have been borrowed, was borrowed in the Absence of the said Warren Hastings, in order to raise a Supply of Money to enable the Board to answer the heavy Calls which had been made on them from the other Presidencies, and to make up for the Failure of the Resource expected from the Sale of the Opium.

“ And the said Warren Hastings says, That the Opium was, by Order of the Governor General and Council, he the said Warren Hastings being Governor General, exported to the Eastern Islands, and to China, on the said Company's Account; which Measure the said Warren Hastings avers was, in the then State of the Company's Affairs, proper and expedient,

“ And the said Warren Hastings says, That he has heard and believes, that the Importation of Opium is forbidden in China.

“ And he admits, that the said Plan was attended with some Risk and Hazard; and that, in the Course of the Execution of the said Plan, the Success of it was in some Measure diminished in consequence of a Capture by the Dutch of One of the Ships employed in conveying Part of the Opium, which Capture was the only Loss the said Warren Hastings knows, or has heard, that the East India Company ever suffered by the said Plan, which he denies to have produced any Disgrace to the British Character in India.

“ And the said Warren Hastings, denying that he ever acted in the Prosecution of a System of Disobedience to Orders, or of Prodigality or Profusion, or that he was ever guilty of any Prodigality or Profusion, says, That some Time in the Year One thousand seven hundred and seventy-seven, the Governor General and Council, the said Warren Hastings being then Governor General, did accept of Proposals for providing Draft and Carriage Bullocks to the Army for Three Years, without advertising for the same; and that afterwards, soon after the Commencement of the War in India, the said Warren Hastings, without, as he admits, any Complaint made on the Part of the Contractor, but not without any Complaint on the Part of the Army, but, on the contrary, after repeated and urgent Representations from the principal Officers commanding the same, that the subsisting Contract (One Half of the Time limited for the Duration whereof he admits to have been then unexpired) was inadequate to the regular Supply of that Service, did approve of certain Alterations in the said Contract, which, in his own Judgment, and that of the said principal Military Officers, were essential and necessary; and the same having been reserved for the Opinion of, and having afterwards undergone the Correction of Sir Eyre Coote, the then Commander in Chief of all the Company's Forces in India, and having been by him proposed in Council, the said Warren Hastings, as Governor General, did vote for, and a Majority of the Board in Council did pass, a Resolution in the following Words, viz. ‘ That the Plan recommended by the Commander in Chief for a new Contract for the Draft and Carriage Cattle be approved, and that an Offer be made to the present Contractor

Contractor to contract with him on the Terms prescribed therein, instead of the Contract now in force.

“ And the said Warren Hastings says, That it was by the said Board deemed expedient, that the said Contract should be made for the Term of Five Years; but he says, that the Conditions thereof, though in some Respects more advantageous to the Contractor, were also more advantageous to the East India Company than the then subsisting Contract. And the said Warren Hastings denies, that the Governor General and Council did by the said Contract agree for a Number of Bullocks, exceeding the Number which the Commander in Chief had declared to be sufficient for the whole Army, or for a greater Number than the Public Service then required; and though the Rate at which the said Bullocks were by such new Plan contracted for was higher than that of the then existing Contract, and though from the increased Establishment of Bullocks, and the Provision necessarily made for its Support, a considerable annual Increase of Expence was unavoidably occasioned, yet he denies that such Increase was either wanton, enormous, or unnecessary.

“ And the said Warren Hastings admits, That the said Resolution, and the Proposal contained in it, were carried into Effect, and that a Contract, in consequence of it, was made by the Governor General and Council with Charles Croftes Esquire; but the said Warren Hastings denies that, in agreeing to the Terms of the said Contract, he was in any Manner influenced by Considerations of Friendship for the said Charles Croftes. And the said Warren Hastings denies that the said Contract was productive of any Loss or Damage to the East India Company, or that it was in Violation of the Orders and Directions of the Court of Directors.

“ And the said Warren Hastings says, That the said Contract did contain a Clause, by which it was agreed, that it should be lawful for the East India Company to extend the said Contract for the Term of One Year beyond the said Term of Five Years, in case they should be minded so to do, on One Year's Notice in Writing being for that Purpose given by the Governor General and Council on their Behalf to the Contractor; and that it was by the said Clause also agreed, that the said Company should, on or before the Expiration of Four Years from the Day of the Date of the said Contract, give Notice in Writing whether they should intend to lengthen the said Contract or not: But in case no such Notice should be given, it was agreed, that the said Contract should continue for the Space of One Year beyond the said Term of Five Years, that is to say, unto the First of September, One thousand seven hundred and eighty-five.

“ And the said Warren Hastings says, That the Court of Directors, in their Letter of Eleventh of April, One thousand seven hundred and eighty-one, did express a Disapprobation of some Parts of the said Contract, and their Approbation of other Parts thereof; and that the said Court of Directors did signify their Pleasure respecting the Mode to be pursued in case of any future Contract, in the following Terms: ‘ We therefore direct, that in future no greater Number of Draft or Carriage Bullocks be entertained, to be paid for by the Company, than shall be necessary for the Service; that the Terms of the Contract be always advertised One Year at least before the Expiration of the subsisting Contract; that the lowest Terms, with good Security for the Performance, be accepted; and that no Contract for Bullocks be on any Account concluded for a longer Term than Three Years.’ “ But the said Warren Hastings denies that the said Court of Directors did give any particular Directions for the Conduct of the said Governor General and Council in respect to the Determination of that Contract, or that they gave any Order that the Provision of Draft and Carriage Bullocks for the Army should in future be managed by Contract, in preference to any other Mode.

“ And the said Warren Hastings says, That the Attention of the Board not being immediately called to the Terms of the said Contract, the Period of Time at which previous Notice for the Determination of the same should have been given, was accidentally suffered to elapse; in consequence whereof, the said Contract would, by virtue of the Clause herein-before mentioned, have continued for the Term of Six Years; that is to say, till the First of September One thousand seven hundred and eighty-five, which the said Warren Hastings admits would have been for a longer Time than the then Situation of the East India Company's Affairs in India required: But the said Warren Hastings says, that to prevent such Continuance, the said Warren Hastings did, on the Second February One thousand seven hundred and eighty-four, when, by the Restoration of Peace, a Reduction of the Military Establishment in Bengal had become practicable and safe, propose in Council, and a Majority of the Council did accordingly resolve, to purchase an immediate Relinquishment of the Contract, and the same was accordingly purchased, after it had been held only Three Years and an half, upon such Terms as to the Board appeared reasonable; and which the said Warren Hastings denies to have been extravagant or unreasonable, or that the East India Company did, by such Purchase, sustain great Loss and Damage.

“ And the said Warren Hastings says, That after such Purchase, the Governor General and Council, the said Warren Hastings being Governor General, did resolve, that the Provision of Bullocks for the Army should be conducted by Agency, believing that the same might be managed in such Mode with more Advantage to the East India Company than by Contract; and did also resolve, that Sir Charles William Blount should be employed in such Agency: But the said Warren Hastings denies that he did, by concurring in such Resolution, act contrary to his Duty,

“ or

“ or to the Orders of his Masters, though he admits that such Mode of conducting the Business
 “ was afterwards disapproved by the Court of Directors, as liable to the Objections in the said
 “ Fourth Article stated.

“ And the said Warren Hastings denies, That by all or any of the several Acts supposed to have
 “ been done or omitted by him the said Warren Hastings, he was guilty of any Part of the sup-
 “ posed Offences or Misconduct in the said Fourth Article charged against him.

“ And the said Warren Hastings further says, That the late General Sir Eyre Coote having in
 “ the Month of March, One thousand seven hundred and seventy-nine, arrived in Bengal, from
 “ Europe, to take upon himself the Command of all the British Forces in India, then employed
 “ in a perilous and extensive War, did, in a few Days after his Arrival, deliver in to the Council
 “ of Fort William in Bengal several Propositions, by which he insisted that certain Allowances
 “ then paid to General Stibbert, Provincial Commander in Chief on the Bengal Establishment, did
 “ devolve upon him the said Sir Eyre Coote, as Commander in Chief. And the said Warren
 “ Hastings says, that the said Allowances so claimed had been granted to the said General Stibbert,
 “ partly under a Resolution of the Governor General and Council, he the said Warren Hastings
 “ being then Governor General, and having, as he admits, concurred therein, and partly by the
 “ express Orders of the Court of Directors.

“ And the said Warren Hastings further says, That the said Propositions were referred by the
 “ Council to the Board of Inspection, and a Minute was thereupon delivered in by the said Sir
 “ Eyre Coote, setting forth the Grounds upon which he had been, on his first Arrival, induced to
 “ rest his aforesaid Claim, and that he had since more fully examined into the same; and further
 “ alledging, ‘ from his long Experience of the Service, the Insufficiency of his Salary, and that he
 “ was certain the Court of Directors never meant he should suffer in his private Fortune by car-
 “ rying on the publick Service, and requesting that such Measures might be adopted as might
 “ prevent any unnecessary Expence from falling upon the Company, and which would at the
 “ same Time enable him to execute the Duties incumbent on him as their Commander in Chief
 “ to visit the several Stations of the Troops, or to take the Field, if necessary, without involving
 “ himself in Expences which he should be unable to support.’ “ And the said Board of In-
 “ spection having taken the same into Consideration, it was by the said Board determined, he the
 “ said Warren Hastings being a Member of such Board of Inspection, and concurring in that De-
 “ termination, that the Allowances made to General Stibbert did not devolve on the said Sir Eyre
 “ Coote, nor ought to be taken away from the said General Stibbert without the further Orders of
 “ the Court of Directors: But in Consideration of the Matters in the Minute of the said General
 “ Sir Eyre Coote set forth, and for other Reasons, which in the Judgment of the said Board ap-
 “ peared to warrant such Measure, did resolve that the said Sir Eyre Coote should, as Commander
 “ in Chief of the Forces in India, receive, when in the Field, a specified Allowance for himself and
 “ his Staff, for the Purpose of defraying the extraordinary Expences which his Establishment in
 “ the Field would occasion. And the said Warren Hastings denies, that by concurring in the said
 “ Resolutions of the said Board, he acted in the Prosecution of a corrupt or prodigal System of Go-
 “ vernment, or in Contradiction to his Duty and the Orders of his Superiors, or with any View to
 “ increase his own Influence.

“ And the said Warren Hastings says, That in the Year One thousand seven hundred and
 “ seventy-nine, the said General Sir Eyre Coote having deemed it necessary to visit the different
 “ Stations of the Army, in order to form such Military Arrangements as the Service required, and
 “ it being expected that his Presence would be mostly confined to the Grand Posts of the Army,
 “ stationed and employed in the Defence of the Dominions of the Nabob Vizier; and the said
 “ Nabob Vizier being bound to discharge the actual Expences of all the Troops employed for the
 “ Protection of the Countries lying beyond the River Carumnassa, it was for these and other
 “ Reasons resolved in Council, on the Proposal of the said Warren Hastings, that the Field Allow-
 “ ances and travelling Charges of the said Sir Eyre Coote as Commander in Chief, when in the
 “ Field, should be added to the Debit of the said Vizier's Account as a Part of his general
 “ Subsidy; the said Charge to commence from the Day of the said Commander in Chief's passing
 “ the said River Carumnassa, and to continue till his Return to the same Line; and that the said
 “ Nabob Vizier should be written to on the Subject. And the said Warren Hastings denies that,
 “ by proposing or concurring in such Resolution, he acted in the Prosecution of a System of Pro-
 “ fusion or Prodigality, or in any Violation of the Treaty between the East India Company and
 “ the Nabob Vizier.

“ And the said Warren Hastings admits, That some Time in the Month of October One thou-
 “ sand seven hundred and eighty, the Court of Directors, reserving for a future Opportunity their
 “ full Sentiments and Instructions on the Subject, did express a Disapprobation of the said Allow-
 “ ances, and direct that they should be discontinued on the Receipt of such their Order. And
 “ the said Warren Hastings avers, that the said Allowances were immediately on the Receipt
 “ of the said Order, in obedience thereto, discontinued. And he denies that he did, of his
 “ own private Authority, continue to the said Sir Eyre Coote such Allowances as are in the said
 “ Fourth Article stated, or that the same were, by the Command or Authority of the said
 “ Warren Hastings, continued to be paid by the Vizier for the Use and Behoof of the said Sir
 “ Eyre Coote.

“ And

“ And the said Warren Hastings further denies, That in all or any of the Acts, Orders, Allowances, or Contracts, done, made, granted, or ordered, by the said Warren Hastings, he the said Warren Hastings has been guilty of any Misconduct, Offence, Crime, or Misdemeanour whatsoever.

“ And the said Warren Hastings admits, That, in the Month of December One thousand seven hundred and eighty, the Governor General and Council, the said Warren Hastings being then Governor General, did appoint James Peter Auriol Esquire to be Agent for providing Supplies for the Relief of the Presidency of Madras, at which Settlement there was a great Scarcity of Provisions: But the said Warren Hastings denies that this Measure was in pursuance of any prodigal or corrupt System of Government, or that the same was a Measure either prodigal or corrupt.

“ And the said Warren Hastings, denying that he did unite in his own Person all the Powers of Government, admits that the said Auriol did require the usual Commission, and that the said Warren Hastings and the Council did determine that he should be allowed for the said Agency a Commission of Fifteen per Cent. upon his Disbursements, the said Warren Hastings and the Council conceiving the same to have been, under all the Circumstances, a proper Allowance.

“ And the said Warren Hastings admits that the said James Peter Auriol was at the same Time, and by the same Authority, appointed Agent of Supplies to the other Presidencies, and to the Island of St. Helena, with the same Commission. And the said Warren Hastings says, That though the Proposal of the said Auriol did not extend to the said other Presidencies, and to the said Island, yet the said Warren Hastings did believe that there existed a Necessity of providing Supplies for the same from Bengal, and that the best Mode of providing them was by the Way of Agency.

“ And the said Warren Hastings admits that the said Auriol was, at the Time of such Appointment, and had been for some Time before one of the Secretaries of the Supreme Council, which Office, at the Time when the said Auriol succeeded to the same, had, by the public Authority of the Board, suffered a Reduction in the regular Salary annexed to it; but the said Warren Hastings, though he does not remember to have made any such Declaration as is in the said Fourth Article stated, and positively averring, that neither in the Creation of the said Agency, nor in fixing the Terms thereof, he was in any Manner actuated by any Motives of private Favour to the said James Peter Auriol, humbly insists, that the Experience which the East India Company had acquired, of the long and laborious Services of the said James Peter Auriol in the said Office, and of his Abilities and Integrity, did afford a reasonable Cause of Preference in the Choice of a fit Person to execute an Agency of so important a Nature.

“ And the said Warren Hastings says, That on the Twenty-fifth Day of March, in the Year One thousand seven hundred and eighty-two, the Governor General and Council, he being then Governor General, did, as a proper Alteration in the Allowance of the said Agency, resolve, That from the Thirty-first of December, One thousand seven hundred and eighty-one, the said Auriol should draw no more Commission on the Freight and Charges of Shipping, or on any other Charges, than the Rate of Five per Cent. being the customary Amount drawn by Merchants; but he denies that he was thereby guilty of any criminal Misrepresentation whatsoever.

“ And the said Warren Hastings admits that some Complaints were made concerning Rice and other Provisions supplied by the said Auriol, which Complaint having been immediately enquired into, and satisfactorily answered, and the proper Execution of the said Contract, on the Part of the said Auriol, having been fully ascertained, the said Warren Hastings further admits he did, in Concurrence with the other Members of the Council, continue the said Auriol in the said Agency; but the said Warren Hastings denies that he did discourage any just or necessary Enquiry into the Execution of this Service, or any Complaint of the Non-performance thereof.

“ And the said Warren Hastings denies that in any of the supposed Declarations, or that by all or any of the Acts or Deeds by him, touching the Matters aforesaid, made, done, or committed, he did violate his Duty, or break the Trust reposed in him, or that he was or is guilty of any Crime or Misdemeanour whatsoever.

“ And the said Warren Hastings further says, That in the Month of November One thousand seven hundred and seventy-six, he did, while Governor General, and as Commander in Chief of Fort William in Bengal, propose in Council a Plan for supplying, by Means of an Agent, the Garrison of that Fort with a continual Store of Provisions sufficient for a Siege; which Plan was approved by the Council; but he denies that he induced them to approve thereof, otherwise than by stating the Nature of his said Plan, and his Reasons for proposing it; and he admits that the same was a new Plan; but he avers, that an adequate Necessity did exist for the said Appointment.

“ And the said Warren Hastings further says, That at a subsequent Meeting of the Board, they did, on the Motion of the said Warren Hastings, appoint John Belli Esquire to the said Agency; but the said Warren Hastings denies, that he did propose the said John Belli from a Spirit of criminal Partiality to his own Favourites, as in the said Article is charged; but on the contrary

“ avers, that his Recommendation of the said John Belli was made in full Confidence, that the said Trust would thereby be faithfully and effectually discharged.

“ And the said Warren Hastings further says, That in consequence of a Reference by the Board to Three Merchants, respecting the Rate of Commission to be allowed for providing the Articles in question, the said Merchants did report their Opinion to be, that no Agent could undertake to supply the Stores required, and to keep up the specified Quantity in constant good Order, for less than certain Rates therein specified, amounting in the Whole to Twenty Pounds per Cent. ; but the said Warren Hastings, being convinced from authentic Documents and Calculations, as well as from other Enquiries, that the said Service could not be effectually performed at the Rate of Commission so reported, did propose, and the Board did resolve, to fix the Rate of Commission at Fifteen per Cent. on providing the said Articles, and Fifteen per Cent. more for Losses arising from replacing decayed and damaged Stores, and renewing the whole Deposit of Victualling Stores every Year, which the said Agent, by his proposed Engagement, was bound to do : And the said Warren Hastings says, that the said Terms were reasonable and proper, with a View to the effectual Execution of the said Service.

“ And the said Warren Hastings denies, That he did make any such Engagements or Declaration touching the said Commission, as in the said Fourth Article is charged against him ; but the said Warren Hastings admits, that, in consequence of some Objections being made to the aforesaid Plan of Supply, he did declare to the Effect following, that is to say, ‘ The Utility or Inutility of the Measure which has given rise to these Objections and Answers, will be best proved by its Effect ; and that this may be fairly made, I pledge myself that Mr. Belli shall keep exact Accounts of the Purchases, Charges, and Expenditure of all the Stores committed to his Charge, and I will become responsible for his producing them before the Board, if ever the Court of Directors shall be pleased to order it ; and that the Profits arising therefrom shall be paid into the Company’s Treasury, and appropriated as they shall direct, if they shall not deem them the just Reward of Mr. Belli’s Services and Fidelity.’

“ And the said Warren Hastings denies, That he had any Connection or Concern, directly or indirectly, in the Interests of the said John Belli, touching the said Agency, or in any other Respect whatsoever.

“ And the said Warren Hastings says, That the Court of Directors having, upon an erroneous Statement of the Profits of the said John Belli, directed a proportionable Reduction of them to be made ; and it appeared that the Amount of the Profits actually received by the said John Belli were much below the Amount virtually allowed him by the said Orders, the said Warren Hastings and the Council did agree that the Subject should again be referred to the Consideration of the Court of Directors, and the same was referred accordingly ; but no further Orders were received from them on that Subject, during the Time the said Warren Hastings remained in India.

“ And the said Warren Hastings says, That in the Month of August One thousand seven hundred and seventy-nine, the Board of Council, on the Motion of the said Warren Hastings, did agree to convert the Agency of the said John Belli into a Contract for the Space of Five Years, on the same Terms, and at the same Rate of Allowance as before mentioned ; but the said Warren Hastings denies that the said Measure was of the Nature, or had the Tendency, or proceeded from the Motives, in the said Fourth Article charged.

“ And the said Warren Hastings denies, that in all or any of the Declarations, Acts, or Proceedings by him made, done, proposed, or perpetrated, or supposed to have been made, done, proposed, or perpetrated, touching the Matters aforesaid, he the said Warren Hastings was or is guilty of any Crime or Misdemeanour whatsoever.” §

Read, from Book 401, already delivered in, the following Extract of a General Letter from the Board of Trade at Fort William, Bengal, to the Court of Directors, dated 25th November 1780.

General Letter, sent 1775.
General Letter received, dated 15th December 1775.
Para. 41.

On 23d May 1778.
23th June.

Par. 18. “ Soon after the Institution of our Board, we had Occasion to appeal to you concerning our Right to the Management of the Ophium Business, which the Governor General and Council conceiving to belong to the Revenue Department withheld from us. You were pleased to direct, that the Sale of the Ophium should be committed to us, and at the same Time to declare, that you were restrained from entrusting to us the Provision of it likewise, only by an Opinion of the Provincial Council of Patna expressing their own better Competency for this Charge. Accordingly the Sale of the Ophium has rested in our Department several Years. We have, from Time to Time, given you an Account of its Produce ; and our Conduct in this Business has not been arraigned from any Quarter. But notwithstanding these Facts, the Governor General and Council, at the same Time that they disclaimed any Intention of implying a Censure upon our Management, notified to us, in the Month of May last, their Resolution to take away the Sale of the Ophium from our Department, and to give it to the Superintendent of the Khalsa. Hereby we are, without any assigned Reason, deprived of a Privilege, which having been formerly questioned, was referred to your Honourable Court, and by you deliberately confirmed to us. However averse to further

References,

References, we cannot avoid humbly to submit this Proceeding to you ; and we submit also, that having given our Board a Constitution, it is absolutely requisite for the Preservation of it, that a Limit be fixed to Changes originating here.

(Signed at the End)

“ P. M. Dacres,
E. Stephenfon,
Simeon Droz,
Alex. Higginson,
Alex. Vanhixtel,
W. Darwood.”

Read, the following Extract from the Answer of Mr. Hastings to the Fourth Article of Charge, delivered at the Bar of the House.

“ And the said Warren Hastings further says, That, in the Year One thousand seven hundred and eighty-one, at the usual and proper Period of making the Contract for Opium, the then Situation of Public Affairs having rendered it more expedient to extend the Period for which such Contract should be made, beyond the Term of One Year, the Governor General and Council, the said Warren Hastings being Governor General, did, in Consideration thereof, resolve, ‘ That the Contract for the Provision for the Opium produced in Bengal and Bahar should be granted to Mr. Stephen Sullivan for the Term of Four Years, on the same Conditions as it was then held by Mr. Mackenzie, the then Contractor.’ But the said Warren Hastings denies, that the said Contract was made with the said Stephen Sullivan on more advantageous Terms for the Contractor than the same would have been made with any other Person. And the said Warren Hastings admits, that the said Contract was made without advertising for Proposals, or receiving from the said Stephen Sullivan any written Proposals for the same ; and that the said Contract did not contain any Clause, providing that the same should be liable to be determined by the Orders of the Court of Directors. But the said Warren Hastings denies, that any Clause was inserted in the preceding Contract, respecting the Determination of the same by the Court of Directors, in any other Event than that of their relinquishing the exclusive Property in the Trade of Opium, and making it free, in which Case the said Contract was to remain in force only for the current Year, of which Event there had ceased to be any Probability prior to the Year One thousand seven hundred and eighty-one.” (a)

Read, from Book 227, already delivered in, the following Extract of a Consultation of 16th March 1781, beginning at Page 215 of the same Book.

“ Fort William, the 16th March 1781.

“ At a Council ; Present,
The Honourable Warren Hastings Esq. Governor General, President ;
and
Edward Wheler Esq.

Rev. Dept.
Friday.

“ The following Minute from the Governor General having been delivered on the 13th of this Month, is here recorded, together with the Board's Resolution in Consequence.

Gov. General's
Minute concerning the
Opium Contract.

“ As the present is the Season for making Advances to the Cultivators of the Opium Lands, and that the Contract has been annually settled, the Governor General recommends that it may be granted to Mr. Stephen Sullivan ; and, to indemnify the Contractor for any Losses which he may eventually sustain in the Provision of this Article by any Disturbances that may happen in the Bahar Province in Consequence of the present Situation of our Affairs, he further recommends that the Contract may be granted for the Term of Four Years from the 1st of next September, on the Conditions of the present Contract.

“ Agreed, That the Contract for the Provision of the Opium produced in the Provinces of Bengal and Behar be granted to Mr. Stephen Sullivan for the Term of Four Years, commencing from the 1st of next September, on the same Conditions as it is held by Mr. Mackenzie, the present Contractor. Contract granted to Mr. Stephen Sullivan.

“ Ordered, That the necessary Deeds be accordingly drawn up by the Company's Attorney.

(Signed at the End of the Consultation)

Edw^d. Wheler.” (b)

To prove, that the Defendant reduced the Penalties on the Opium Contract, and made other Arrangements to the Prejudice of the Company and to the Benefit of the Contractor ;

(a) Vide supra, Page 1307.

(b) Vide Appendix, N^o CLXXX.

Read,

Read, also, the following Extract from a Consultation of 22d May 1781, beginning at Page 628 of the same Book.

Rev. Dept.
Friday.

Board's Ob-
servation re-
garding the
Penalty to Mr.
Sullivan's Con-
tract for Opi-
um, &c.

Resolution
thereon.

Mr. Sullivan
called on for
his Securities.

“ Fort William, the 22d May 1781, 1
“ At a Council; Present,
The Honourable Warren Hastings Esq. Governor General, President;
and
Edward Wheler Esq.

“ No Penalty having been yet settled for the Contract granted to Mr. Sullivan for the Provision of Opium in the Province of Bengal and Bahar,

“ Agreed, That it be limited to Two Lacks of current Rupees, the Board being of Opinion that if it was fixed in Proportion to the Penalty annexed to the present Contract, the Magnitude of the Sum would defeat the Intent of the Stipulation, by preventing the Penalty being exacted in Case of a Breach on the Part of the Contractor.

“ Ordered, That Mr. Sullivan be called on for the Names of his Securities.

(Signed, at the End of the Consultation,)

“ Edw^d Wheler.” (a)

Read, also, the following Extract of a Consultation of 25th May 1781, beginning at Page 631 of the same Book.

“ Fort William, 25th May 1781.

“ At a Council; Present,
The Honourable Warren Hastings Esquire, Governor General, President;
and
Edward Wheler Esquire.

Secretary's
Remarks
thereon.

“ The Secretary having compared the Draft of Mr. Sullivan's Contract for the Provision of Opium with that of Mr. Mackenzie the present Contractor for the same Article, submits the following Remarks thereon, for the Orders of the Board.

“ Secretary's Remarks.

“ 1st. Mr. Sullivan's Contract expresses its being made with the United Company, Mr. Mackenzie's by the Governor General and Council on their Part.

“ 2d. Mr. Sullivan's Contract is said to be founded in like Manner with the other, on certain written Proposals made by him, whereas none such have been made.

“ 3d. Mr. Sullivan proposes that the Opium shall be delivered by him to the Company's Servants at the Khalsa, with such Allowance for transporting it as was given to the former Contractor; it was formerly covenanted to be delivered to the Provincial Councils, and there is no mention of any Allowance for the Expence.

“ 4th. Mr. Sullivan objects to the Clause in Mr. Mackenzie's Contract, rendering it liable to be determined by Orders from the Company.

“ Governor General's Observations.

“ It must express, that it is made by the Governor General and Council on the Behalf of the Company, not by the Company.

“ This Reference must therefore be omitted.

“ The Opium is to be delivered at the Khalsa, as it is by the present Contractor, who, as I recollect, is allowed the Charge of transporting it by an Order of the Board. This Allowance, whatever it be, should be expressed.

“ This is now unnecessary. It was intended to give Time for the Effect of an Appeal to the Court of Directors, who have approved the Contract.

(Signed at the End of the Consultation,)

“ Edw^d Wheler.” (b)

Read, from Book 262, already delivered in, the following Extract of a Consultation of the 5th June 1781, beginning at Page 128 of the same Book.

“ Fort William, 5th June 1781.

“ At a Council; Present,
The Honourable Warren Hastings Esq. Governor General, President;
and
Edward Wheler Esquire.

Secretary's
Remarks re-
garding the
Blanks in the
Contract,

“ The Secretary observes to the Board, that Two Blanks have been left in the Opium Contract, One for the Allowance to be made to the Contractor for transporting the Bengal Opium to Calcutta. The Secretary does not find on Examination of the Proceedings, any Resolution authorising Mr. Mackenzie, the present Contractor, to draw an Allowance for this Service; but he lays before the Board an Account current between the Company and that Contractor's Agent at Patna, dated

(a) Vide Appendix, N° CLXXXI.

(b) Vide Appendix, N° CLXXXII.

the 14th of last January, in which there appears a Charge on this Account of Ten Current Rupees per Chest; likewise an Account of Opium manufactured and dispatched in the Year 1776 from Boglepore, which shews that rather more than this Sum was drawn for every Chest packed and transported from thence. From the other Districts in Bengal, viz. Purnea, Rungpore, &c. the Expence of Transportation must have been greater, as the Opium was carried over Land some Distance before it could be dispatched, whereas Boglepore is upon the Confines of the River.

" Agreed, That an Allowance of Ten current Rupees be made to the Contractor, for the Expence of Delivery of every Chest, with Contingencies both of the Bengal and Bahar Opium, and that the Blanks in the Deeds be filled accordingly. Allowance granted the Contractor for the Delivery of the Opium.

" There being no longer Occasion for Inspectors to superintend the Manufacture of the Opium delivered by the Contractor, since the Reasons which induced the Board to appoint those Officers no longer exist,

" Resolved, That their Appointments be abolished; and ordered, that this Resolution be communicated to them by the Secretary. Resolution thereon,

" The Clause in the Contract referring to the above Officers is accordingly omitted; and it is expressed generally, that on the Arrival of the Opium at Calcutta, it shall be subject to the Inspection and Controul of such Persons as the Governor General and Council may appoint for that Purpose. and Alteration in consequence in the Controul.

" The Contract being now executed by the Board;

" Ordered, That a Copy thereof be entered after this Day's Proceedings. Contract executed.

(Signed at the End)

Edw^d. Wheler." (a) Copy to be entered after Proceedings.

Read, also, the following Extract from the Answer of Mr. Hastings to the Fourth Article of Charge, delivered at the Bar of the House.

" And the said Warren Hastings denies, That he did take away Restrictions usually and providently imposed upon the Contractor in Contracts of that Nature; but he admits that he, as Governor General, and the Council did resolve, that there being no longer Occasion for Inspectors to superintend the Manufacture of the Opium delivered by the Contractor, since the Reasons which induced the Board to appoint those Officers no longer existed, their Appointments should be abolished; and, in lieu thereof, it was in the said Contract of the said Stephen Sullivan stipulated, That, on the Arrival of the Opium at Calcutta, it should be subject to the Inspection and Controul of such Persons as the Governor General and Council might appoint for that Purpose. And the said Warren Hastings insists, that the Regulation substituted by the Governor General and Council, in lieu of such Inspection, did as effectually guard against the Commission of any Fraud by the Contractor, and was in other Respects more advantageous to the East India Company.

To prove that the Inspectors, abolished upon this Occasion, had been formerly found very useful to the Revenue in discovering such Articles as would be mischievous to the Company by destroying the Credit of their Trade,

Read, from Book 406, already delivered in, the following Extract of a Consultation of 10th June 1777, beginning at Page 206 of the same Book.

" Fort William, the 10th June 1777.

" At a Council; Present,
The Honourable Warren Hastings Esq. Governor General, President;
Lieutenant General John Clavering,
Richard Barwell,
and
Philip Francis, } Esquires.

Rev. Dept.
Tuesday.

" Read, and approved the Proceedings of the 6th instant.

" Read, the following Letters and Enclosures from the Board of Trade. Board of Trade.

" To the Honourable Warren Hastings Esquire, Governor General, and the Rest of the Gentlemen of the Council of Revenue. L. R. No. 273.

" Honble Sir, and Gentlemen,

" We think it necessary to recommend to your Observation the accompanying Report, made to us by our Agent for receiving the Bengal Opium, of 269 Chefts of the Rungpore Provision lately arrived here.

(Signed at the End of the Letter)

" Fort William,
24 May 1777.

" W^m. Aldersey,
Cha^s. Bentley,
William Barton,
Nath^l. Bateman,
H. Cottrell,
Simeon Droz." (b)

(a) Vide Appendix, N^o CLXXXIII.

(b) Vide Appendix, N^o CLXXXIV.

Read, also, a further Extract from the same Consultation, beginning at Page 218 of the same Book, as follows :

“ Report from Mr. Peter John Flor.

“ In Conformity to the Directions of William Aldersey Esquire, President, &c. Gentlemen of the Board of Trade, I have examined Two hundred and sixty-nine Chests of Rungpore Opium, received from the Provincial Council of Dinagapore, and this Day dispatched by me to the Presidency on Account of the Honble. Company. From repeated Trials, there appears a very small Portion of the Gum Resin, which constitutes the essential Characteristic of genuine Opium; but I find, after Solution, a gritty Sediment, partaking of a sour fermented Scent, which indicates a Mixture of a farinaceous vegetable Substance, foreign to the Juice of the Poppy; and I apprehend this heterogeneous Mixture will materially affect the Sales as well as the Weight of this Opium.

“ Rungpore,
the 1st of April 1777.

(Signed)

“ Peter John Flor.” (a)

Read, also, from Book 42, already delivered in, the following Extract of a Letter from the Court of Directors to the Governor General and Council at Fort William in Bengal, dated 12th July 1782.

“ Neither can we approve of your having abolished the Office of Inspector, and at the same Time ordering all the Opium to be consigned to the Vendue Master, allowing him a Commission thereon, when, in our Opinion, it should have been sent to the Board of Revenue, or the Board of Commerce.

(Signed at the End)

“ Rob ^t Gregory,	Cha ^s Boddam,	John Smith,	W. Devaynes,
Henry Fletcher,	John Hunter,	John Roberts,	George Cuming,
John Harrison,	Joseph Sparkes,	Step. Lushington,	Ja ^s Moffatt,
George Tatem,	R. Hall,	Ben. Booth,	Nath ^l Smith.” (b)
Jac ^b Wilkinson,			

Read, also, the following Extract from the Answer of Mr. Hastings to the Fourth Article of Charge, delivered at the Bar of the House.

“ And the said Warren Hastings denies, That the said Sullivan did not ever execute, or attempt to execute, the said Contract; but whether the said Sullivan did, on or before the Execution of the Articles between him and the Governor General and Council, transfer his Interest in the said Contract to John Benn Esquire, or whether the said Benn did afterwards transfer the same to any other Person, the said Warren Hastings declares himself ignorant, except as he has heard the same by Report since his Arrival in England, or has been informed by the said Articles, and the Proceedings before the Honourable the House of Commons, touching him the said Warren Hastings.”

To prove that Mr. Sullivan sold his Interest in the Contract to Mr. Benn, and what Money Mr. Benn paid for it; and also to prove that Mr. Benn sold his Interest again to a Third Person, and to prove what Money he received from that Third Person for it;

The Managers for the Commons desired Mr. Benn might be again called in.

Mr. Benn was accordingly called in, and examined as follows :

Q. Had you any, and what Interest in a Contract for the Supply of Opium at Bengal and Bahar?

A. I had an Interest in it by Purchase.

Q. From whom did you purchase it?

A. From Mr. Sullivan.

Q. What did you pay for it?

A. I paid at various Times the Sum of Three Lack, and fifty thousand Rupees, at different Payments :—Sicca Rupees.

Q. Relate the Manner in which you first entered into this Transaction: In what Manner, and at what Time, and in what Conversation, you first entered into this Treaty.

The Counsel for the Defendant objected to the Question.

Q. When did you first treat with Mr. Sullivan upon the Subject; and at what Date did you conclude the Agreement?

A. I do not exactly recollect the precise Day of the Agreement; but it must have been, I think, in the Months of November and December.

(a) Vide Appendix, N^o CLXXXIV.

(b) Vide Appendix, N^o CLXXXV.

Q. In what Year?

A. The Year preceding the Date of the Contract: I think the Contract was in 1781; and therefore in November or December 1780, to the best of my Recollection.

Q. Do you mean the first Mention of it?

A. Yes.

Q. When was the Bargain finally concluded?

A. That could not be till after the Signature of the Contract; but I considered myself bound to Mr. Sullivan some Time before: Of Course I had several Conversations with Mr. Sullivan prior to entering into such a very large Concern as that; but I think I finally determined to take it of him in the Months of November or December 1780.—Supposing it to take Place, and Mr. Sullivan to have it on the Terms of the former Contract from Government, I agreed to take it of him on the Terms I before stated.—It was in November or December 1780: I think it was prior to January 1781.

Q. Whether you sold this Contract again?

A. I did.

Q. To whom?

A. To Mr. Young, except a small Part that lay at a great Distance.

Q. What did you receive from Mr. Young for that Sale?

A. I received Payments by Installments, in the Course of Four Years, of what in English Money, I believe, would be 60,000*l*: I think so, or near it.

Q. When did you transfer your Interest to Mr. Young?

A. A considerable Time after; some Months; but I really do not recollect. I have no Engagement to refer to for Dates. I trust to my Memory for the Dates.

Q. Did you ever do any Act in Execution of that Contract?

A. I think I addressed some Letters to the Board as the Agent of Mr. Sullivan.

Q. (*by a Lord.*) To what Board?

A. To the Government in India.

Q. (*by the Managers.*) Can you fix the Date when you made your Agreement with Mr. Young?—When was it? Was it prior to September?

A. Yes; it was prior to September 1781 that I made the Agreement with Mr. Young.

Q. What was the Occasion of your disposing of that Contract?

The Counsel for the Defendant objected to the Question.

Q. (*Cross examined.*) Whether you know whether Mr. Hastings was privy to any Assignment made of that Contract from Mr. Sullivan to you, or from you to Mr. Young?

A. No; I know of no Knowledge Mr. Hastings had of any Transactions between Mr. Sullivan and me, or between Mr. Young and me.

Q. Had you any Reason for knowing when Mr. Hastings was first apprized of any Assignment of this Contract; and when did you first communicate with Mr. Hastings on the Subject of any such Assignment?

A. I know when it was first communicated to him from myself, which was in England.

Q. When?

A. I am not quite prepared with the exact Date: But I know it was in England, after my Arrival in England.

Q. When did you arrive in England?

A. In September 1786.

Q. State the Terms and Manner of that Communication?

A. Some Time after my Arrival in England, I called upon Mr. Hastings. I went into his House, and he desired me to walk into a private Room with him. I did so. He there told me, that a Charge had been mentioned to him in England of his having disposed of a Contract to Mr. Sullivan; that Mr. Sullivan had afterwards assigned his Contract to me, as stated by the Honourable House of Commons in their Charge; but it was prior to the Charge being made. I told him, that I did not consider that as a fair Question to be proposed to me; that I had no Concern with the Government in this; and that if he wished for any Information upon it, he must apply to Mr. Sullivan, who could answer him.

Q. Did your Conversation end there?

A. He told me Mr. Sullivan was not in London. I think he said he was at Weymouth. I told him, I must refuse answering that Question, and must refer him to Mr. Sullivan; for it was a private

vate Transaction between Mr. Sullivan and myself, which I thought he, as Governor, had no Right to enquire into; that he knew Mr. Sullivan perfectly well, and that though I was not bound to Secrecy, yet I considered it as an individual Transaction, which I rather chose not to mention, considering Mr. Sullivan rather as the Principal in it. Some Time after this, I paid a second Visit to Mr. Hastings:—This was after the Examination of Mr. Young in the House of Commons. I think he then asked me, if that was true? I again referred him to Mr. Sullivan for his Part of it. He said it was in vain; that Mr. Young had so asserted in the House of Commons; that it was unnecessary to conceal it any longer.

Q. Did you, when in India, industriously conceal, at the Time, the Circumstance of this Contract of Sale, from Mr. Hastings?

A. I concealed it from every Body; it was not particularly concealed from Mr. Hastings, but from every Body. I had the Possession of something I thought to my own Advantage; I gained this by my own Industry, by a Knowledge of the Opium, and I did not chuse to converse upon it, because others would have immediately pursued the same Plan.

Q. Whether you had such a particular Knowledge of the Subject of this Contract, as to render it more advantageous in your Hands than it probably would have been in the Hands of any other Person?

A. I cannot say any other Person, but I believe there were very few Men who could make that Advantage of it.

Q. Give your Reasons, why it would be more advantageous; and state the Circumstances of your superiour Knowledge upon the Subject.

A. It had been the Object of my Attention for at least Three Years previous to it.

Q. What Information had you collected that enabled you to undertake this Contract upon the Terms on which you took it from Mr. Sullivan; what Mode did you devise of carrying on the Contract in a more beneficial Way than other People had done before him?

A. The Mode by which I intended to carry it on, supposing I had undertaken it, was to have resided at Patna, much in the same Manner Mr. Young did; and I should have had it from the first Hand, and been the Manufacturer chiefly myself. There was also a Clause in the Contract, that a certain Quantity was to be delivered, which I believe was supposed to be the Whole, or nearly the Whole, that could be produced. But there was a Clause giving an additional Premium—

The Witness was informed, he must not mention the Contents of the Contract.

Q. Was it not your Purpose to destroy the intermediate Agency in that Contract?

— No Answer.

Q. Whether the Sum you have mentioned, of 60,000 *l.* did not include the 40,000 *l.* you had paid to Mr. Sullivan?

A. Most certainly.

Q. You have said, Payments were made to you by Instalments to the Amount of 60,000 *l.* in English Money. Whether out of that 60,000 *l.* which you state yourself to have received, you did not pay the Sum of 3,50,000 Sicca Rupees, which you state yourself to have paid to Mr. Sullivan?

A. Yes.

Q. Whether you did not, on some Occasions, correspond with the Board *ex nomine*, as the Agent of Mr. Sullivan, after the Assignment?

A. Yes, I did.

Q. (*by a Lord.*) How long did you hold the Contract before you transferred it to Mr. Young?

A. I have already given it in Evidence, that it was some Time prior to September 1781.

Q. (*by Counsel.*) Do you know the Prices at which the Patna Council, or any former Proprietors of this Contract, purchased of the Ryots?

A. I was not then in the Country.

Q. Do you know the medium Price of the Article at which the Patna, or any former Contractors, had bought it of the Ryots prior to your Contract?

A. I do not exactly know it.

Q. Was it much under the Sum of 190 Rupees per Cheft, at which Rate Mr. Mackenzie's and Mr. Griffith's Contracts were formed; how much under?

A. Do you mean, bought for the Company by that?

Q. Tell both; first, the Sums at which the Company bought it of them; and then, the Price it was bought at from the Ryots?

A. Those Contracts of Mr. Mackenzie and Mr. Griffiths are upon the Records; it appears upon the Records.

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Q. (by a Lord.) Can you yourself state, of your own Knowledge, at what Price Mr. Mackenzie and Mr. Griffiths bought it?

A. No; I do not know what they paid for it.

Q. (by Counsel.) Do you know that it had never been bought so low as you could purchase it?

A. No; I believe it has always been a Monopoly for many Years. I believe the Management of it was formerly in the Hands of the Natives; they were the Factors, and the Council received it from them. I should have taken the Situation of the Native, not of the Council at Patna.

Q. (by a Lord.) You entered into the Contract with a View to take the Situation of the Native?

A. Yes.

Q. By the Terms of your Contract, the Company was to make an Advance of Part or of the Whole of the Money to be paid in each Year?

A. No; by the Terms of the Contract they were to advance Half in the Course of the Year: The Contract is here.

Q. (by a Lord.) In what Manner was the Advance to be made?

A. I believe the Terms of the Contract were, that Half the Sum to be paid for the Quantity contracted for was to be paid shortly after the Commencement of it; that another Portion was to be paid some Time after, and the remaining One Fourth was to be paid, I think, at the Conclusion of it; at the End of the Year in each Year. I have not seen the Contract so long, I cannot recollect exactly.

Q. (by Counsel.) Whether those Advances so stipulated to be made on the Part of the Company were sufficient of themselves to enable you to carry on that Contract without a further Capital?

A. No; I think not.

Q. State the Amount of those Advances, and the Amount of that further Capital which would be necessary to carry on the Contract?

A. The Amount of the Advances is ascertained in the Contract, the Number of Chests being specified, and the Advances to be made upon that Quantity contracted for; but for the additional Quantity there is no Provision made.

Q. What further Addition to the Capital was necessary for carrying on this Contract?

A. I think the Capital altogether employed in that Contract would have required 140,000 l. annually: I mean for the whole Transaction.

Q. (by a Lord.) That Contract gave you the Monopoly of the Opium: Did it not?

A. Yes.

Q. Then to carry it on would require some Capital?

A. Yes.

Q. What Capital?

A. 140,000 l. for the Whole annually; but there is a Part of it supplied by the Company, which the Terms of that Contract will shew.

Q. (by Counsel.) Is the Traffic attended with any particular Risque?

A. Yes; it is attended with Risque. I believe I lost above 1,000 l. in one Night, not in Bahar, but a Part at a Distance that was not under Mr. Young.

Q. Had you any Idea, when Mr. Young proposed to give you the Encrease he did upon the Terms of your Contract, that it was capable of being productive and beneficial to that Amount?

A. I thought his Offer as much to the full as I could have made by it.

Q. You did not conceive that it left the Sub-contractor then any adequate Share of Profit?

A. It did not appear to me that it would be great; but certainly in a Transaction that would require so large a Sum, no Man in his Senses would undertake it if he did not expect to get Advantage by it.

Q. Do you not believe this Ignorance of the Value was not only not confined to Mr. Hastings, but that the Merchants in the Province in general were ignorant of its being so beneficial a Trade?

A. I believe they were.

Q. Do you know how much Advantage the Company reaped from this Contract?

A. I know it from having looked at the Accounts of the Company of their Sales; of Course I know the Accounts of the Contractors.

Q. What was the Amount that the Company made during these Four Years?

A. I certainly looked at these Accounts once, with a view to see what the Company did gain by it, and it appeared to me then that their Gains were not less than Six or Seven Lacks of Rupees a Year; that multiplied by Four will make up the Sum. That may be easily ascertained by

looking to the Accounts themselves. I speak to the best of my Recollection; and I believe I am pretty accurate.

Q. Whether you do not think, with a View to a Check upon the Adulteration of Opium, and the supplying the Company with a bad Commodity, it was more advantageous to station an Inspector at Calcutta, where the Consumption was to be, rather than at Bahar, where they used to be?

A. It was to be sold in Calcutta; and, by the Terms of the Contract, it was to be there inspected and seen there that it was saleable; that appeared to me the Advantage. In the one Way it was inspected during the Progress, and the Contractor was no longer answerable for it than at Patna: In the other Case, he was answerable for it at the Place of Sale.

Q. Whether you have not Reason to know, that at One Time Mr. Young would have been glad to have got rid of the Bargain by giving a Lack of Rupees to be rid of it?

A. I understood, when Mr. Young first undertook it he was much alarmed on Account of the Disturbances at Benares.—Certainly the Sum he had advanced was very large, and he was apprehensive it would have been lost; and I believe he would at that Time have been very glad to have got rid of it; but he made no direct Proposition to me.

Q. (*by the Managers.*) Whether you executed any Part of this Contract?

A. No; I have said I did not.—Only the Letters I wrote to the Board.

Q. Whether, during the Execution of this Contract by Mr. Young, you ever inspected it at all?

A. No; certainly not.

Q. Whether you knew, during that Period of Time, any Thing of the Detail of it at all?

A. Yes, long before.

Q. I mean, during the Time in which the Contract was executed, did you know any Thing of it at all?

A. No; certainly not. I had nothing to do with the Management of it. I made it over to Mr. Young.

Q. Whether you could have afforded to have given to Government the same Profit you gave to Mr. Sullivan, if the Contract had been advertised?

A. Undoubtedly.

Q. Why, therefore, did you not make that Offer to Government?

The Counsel for the Defendant objected to the Question.

Q. Why did you chuse to negotiate with Mr. Sullivan, and not with Government?

The Counsel for the Defendant objected to the Question.

Q. Why did you chuse to negotiate with Mr. Sullivan when he was not a Contractor with Government?

The Counsel for the Defendant objected to the Question.

Q. Did any Fact come to your Knowledge, which induced you to purchase the Contract from Mr. Sullivan who had it not, rather than from the Government who had it to give?—Did any Fact come to your Knowledge, and state it, that induced you to apply to Mr. Sullivan before the Month of September 1781?

A. In Conversation, I understood—

Q. (*by Counsel.*) Was that with Mr. Sullivan?

A. Yes.

The Counsel for the Defendant objected to the Witness' proceeding in his Answer.

Q. (*by a Lord.*) Had you any Conversation with Mr. Hastings, or Anybody, that Mr. Hastings avowed as his Agent in these Transactions, or in the Presence of Mr. Hastings?

A. No: I had not.

Q. (*by Managers.*) A Question has been put, how Opium was purchased of the Ryots by former Contractors: Did you propose to purchase it from the Ryots, or did you mean to have it wrought for your own Benefit and Advantage?

A. At the Time I made my Agreement with Mr. Sullivan, it was my Intention to have resided at Patna, to have purchased it from the Ryots, and to have manufactured it myself; perhaps at some more distant Part I could not have done that; but, generally, that was my Intention.

Q. What Portion of the Opium Business did you retain in your own Hands, and not transfer to Mr. Young?

A. There was one Part at Boglepore, and another at Purneah.

Q. Any more?

A. No. I do not immediately recollect the small Places that might go under those general Names.

Q. What Proportion might that be of the whole Quantity of Opium to be furnished to the Company?

A. I do not recollect. The Contract was generally made for the whole Province; and I was so secure the Monopoly as well as I could.

Q. (by Counsel.) Was your Purchase from Mr. Sullivan, and the Re-sale to Mr. Young, in Writing?

A. My Purchase from Mr. Sullivan was in Writing.

The Counsel for the Defendant objected to any other Evidence of the Contents of this Contract.

Q. (by Counsel.) Was your Sale to Mr. Young in Writing?

A. Mr. Young and I put upon Paper at first the Terms of our Agreement; but those Terms were not adhered to; we mutually agreed to abandon some of them; and there was no written Agreement of what really was the Transaction between us; we did not proceed agreeable to the original Plan.

Q. The final Agreement was not in Writing?

A. The final Agreement was not in Writing, with Mr. Young.

Q. With Mr. Sullivan it was?

A. With Mr. Sullivan it was.

Q. (by Managers.) Whether, or no, your Contract with Mr. Sullivan was a Thing pretty generally talked of, or a profound Secret?

The Counsel for the Defendant objected to the Question.

Q. Have you got the Instrument here?

A. No.

Q. Where is it?

A. I left it in India. Mr. Sullivan is in England, and he may have it perhaps.

Q. The Question has been asked, whether Mr. Hastings had any probable Knowledge of the Business? Was this kept so profound a Secret, as that you believe it was generally unknown at Calcutta?

The Counsel for the Defendant objected to the Question.

Q. (by a Lord.) Whether you made any Application to the Governor General for the Opium Contract?

A. No; I never did.

Q. Whether you took any Steps to obtain Information in order to be a Bidder at any public Auction, which you had Reason to expect from the Orders of the Directors?

A. I made every Enquiry I possibly could.

Q. Whether you prepared yourself, from any Information, to be a Bidder at the Auction?

A. I had prepared myself with every Information I was able, certainly with a View to my own Advantage in it; and whether it was a Contract from Government, or from an Individual, was to me immaterial.

Q. (by a Lord.) What was the Extent of that Part of the Contract you retained, and did not sell to Mr. Young; what aliquot Part was that of the whole Contract?

A. I really do not remember.

Q. Was it Twenty, Ten, or Five?

A. I really do not recollect.

Q. What Sum of Money you received for the Sale of that Contract?

A. I do not know. I certainly gained upon it; but what Sum I do not recollect: There were some Adjustments of Accounts with the Gentlemen who managed it; what the Sum total was I cannot tell.

Q. Who were the Gentlemen?

A. One was Mr. Walker; but a Mr. Howarth bought the whole generally; Mr. Howarth undertook the Whole.

Q. Does your Memory fail you to that Extent, that you cannot give an Account of the direct Sum of Profit you made by the Sale of that Part of the Contract?

A. I cannot, to the exact Amount; I think I made 7000*l.* by it; but I do not give it as the exact Sum.

Q. Then

Q. Then you gained upon that Part about One Fourth of the Whole?

A. Yes, I think I did; I do not exactly recollect. My Expectations were certainly greater than I received from that Part; but the exact Sum I cannot ascertain; I thought I should have received more from Bengal, from that Part of Bengal.

Q. (*by Managers.*) Whether this was a Matter talked of in Calcutta: Aye or no?

A. Certainly at the Time I made this Agreement it was not known; it transpired afterwards, and was talked of; several have talked to me about it, but not One of them I found knew it; only generally that such a Thing had been done. I thought you had asked whether I had communicated it to Mr. Hastings.

The Witness was directed to withdraw.

Then the House adjourned to the Chamber of Parliament.

Die Mercurii, 25^o Maii 1791.

TH E Lords being in their Places, the House resumed, the usual Proclamations made, and the Defendant appearing at the Bar, the Lord Speaker informed the Managers for the Commons, they might proceed to make good their Charge.

The Managers for the Commons stated, they should read the Order of the Court of Directors in 1754, respecting the Conduct of this Contract.

Read, from Book 420, already delivered in, the following Extract of a Letter from the Court of Directors to the President and Council at Fort William, in Bengal, dated 29th November 1754, beginning at Page 86 of the same Book.

Par. 40. " You are to give publick Notice, that you will receive Proposals in Writing, at Boards to be held for the Purpose, from all Persons indifferently (our own Servants excepted) who are willing to furnish you with Materials of all Kinds; and the Person or Persons who offer at the lowest Rates, provided the Materials are good, are to be contracted with.

(Signed at the End)

" Roger Drake, Chairman,

Richard Chauncy, Deputy;

W. Willy,

Cha Gough,

W. Wilberforce junr,

H^r Crabb Boulton,

Z. P. Fonnereau,

Nich^r Linwood,

Stephen Law,

W. Mabbott,

N. Newnham junr.

John Payne,

Cha. Cutts,

Whichcott Turner,

P. Godfrey,

Rob^t Jones.

Read, from Book 407, already delivered in, the following Extract of a Consultation of the 10th of May 1771.

" Fort William, the 10th May 1776.

Rev. Dep.
Friday.

" At a Council; Present,

The Honourable Warren Hastings, Governor General, President;

Lieutenant General Clavering,

The Honourable George Monson,

Richard Barwell, } Esquires.

Philip Francis,

" Read, the following Letters from Mr. Griffith and Mr. Wilton, the Opium Contractors.

" To the Honourable Warren Hastings Esquire, Governor General, and the other Gentlemen of the Council of Revenue Fort William.

Letter from
Mr. Griffith,
Bahar Ophi-
um Contrac-
tor.
L. R. No. 306.

" The Manufacture of Opium is an Act which requires long Experience, joined with the most minute Attention, to become Master of; I had made it an Object of my particular Enquiries long before I undertook my Contract, and am convinced that great Improvements may be made on the present Mode. This, however, cannot be hoped for but by the continued Study and Observation of the same Contractor. (a)

(Signed)

" Richard Griffith.

(And at the End of the Consultation)

" Warren Hastings,

J. Clavering,

Rich^d Barwell,

P. Francis."

(a) Vide Appendix, N^o CLXXXVI.

Then the Managers for the Commons stated, that they should proceed in that Part of the Examination with which they had left off the preceding Day; for which Purpose, they desired Mr. Young might be again called in.

Mr. YOUNG was accordingly called in, and examined as follows:

Q. State what Interest you had under the Opium Contract in 1781?

A. I purchased it.

Q. What did you pay for the Purchase of it?

A. I paid 149,000 Sicca Rupees annually; to be paid by Instalments.

Q. Of whom did you purchase it?

A. I purchased it of Mr. John Benn.

Q. At what Time did you make the Agreement for that Purchase?

A. Various Conversations had passed between Mr. Benn and me upon the Subject as early as the Month of April 1781, relative to the Purchase, and it was about that Time finally understood and agreed between us, that I should have the Management of it.

Q. Whether you did not find the Concern a profitable one to yourself?

A. I did.

Q. To what Amount, or nearly to what Amount, did you derive Profit from that Contract to yourself?

The Witness submitted, whether the Question was proper to be put.
He was directed to answer the Question.

Q. Did you derive considerable Profit from it?

A. I did.

Q. Upon the Expiration of this Contract of 1781, you was yourself the Contractor with Government afterwards?

A. I was: I entered into the Engagement jointly with Mr. Patrick Heatly in 1785.

Q. (*by Counsel.*) Was that Contract in Writing?

The Managers for the Commons stated, That they did not mean to examine as to the Terms of the Contract.

Q. (*by the Managers.*) Did you derive a considerable Profit under your Engagement in 1785?
—No Answer.

Q. Would you have taken the Contract from Government in 1781, upon the Terms in which you took it in 1785?

A. No; certainly not.

Q. Would you have taken it from Government upon the Terms on which you took it from Mr. Benn in 1781?

A. Yes; I certainly would.

Q. Why did you deal with Mr. Benn for the Opium Business?

A. Because I was convinced that by concluding a Bargain with Mr. Benn it would be profitable to myself.

Q. Why did you engage with Mr. Benn rather than with Government?

The Question was objected to by the Counsel for the Defendant.

A. I made no Application to Mr. Benn originally: He consulted me upon the Business originally—and it was in Consequence of various Conversations between Mr. Benn and me; as also some previous Correspondence upon the Subject.

Q. At what Time was the first Correspondence and Conversations with Mr. Benn upon the Subject?

A. I cannot state accurately from Memory, but it was in, or before, April 1781.

Q. Why did you chuse rather to engage with Mr. Benn than with any other Person—What led you to apply to Mr. Benn?

A. I beg to state, that I made no Application to Mr. Benn, he made Application to me; he first consulted me upon the Subject; and from thence I first came to the Knowledge that any such Transaction was in Agitation.

Q. How came you to know that Mr. Benn had any Thing to do with it?

A. He informed me of it.

Q. Informed you of what ?

The Counsel for the Defendant objected to the Question.

Q. Did Mr. Benn inform you he had a Concern in that Business ?

A. Mr. Benn did.

Q. Did he inform you how he came by it ?

The Counsel for the Defendant objected to the Question.

Q. Whether or no the Transaction concerning the Sale of the Opium was, as far as you can judge of it, a profound Secret or not ; that is, that it was promised first to Mr. Sullivan, and then to Mr. Benn ?

A. It was a profound Secret as far as I know.

Q. (*Cross examined.*) At what Price did the Patna Council, while the Opium was under their Management, purchase it of the Ryots of the Country or their immediate Agents ?

A. When I went up to Patna, in the Beginning of the Year 1775, as a Member of the Council, a Contract existed, the Terms of which it is totally out of my Power, at this Distance of Time, to mention.

Q. What is the Fact of the Price at which the Patna Council purchased it ?

A. I really do not recollect.

Q. Was it not 190 Rupees per Chest, or thereabouts, or upwards, from the native Merchant ?

A. I believe it was considerably more, a great deal more, but I cannot be specific as to it, or any Thing near it.

Q. Was it between Two and Three hundred Rupees a Chest, as near as your Memory will serve you ?

A. To the best of my Memory it might be between Two and Three hundred, but I cannot be positive.

Q. Do you happen to know at what Price it was bought at Benares ?

A. I really do not recollect.

Q. As near as you can ?

A. I have not the most distant Knowledge ; I do not recollect ; nor do I know whether they got any from Benares.

Q. Whether you have not made this Business of Opium your particular Object of Enquiry, so as to make yourself particularly acquainted with the Subject ?

A. It had been a Subject of Enquiry and Study almost from the first of my coming to Patna as a Member of the Council in 1775, during the Space of Six Years, or thereabouts.

Q. Do you recollect that in 1785 you represented in your Proposals, that no other Person could undertake it upon the same Terms in Bahar, without a certain Loss ?

A. I recollect that now perfectly well, it was so ; and I now assert, that Nobody could have undertaken it, without a Loss, upon those Terms.

Q. Do you recollect that you made this Representation, that the Opium was an Article of Finance, and not of Commerce, and as much One of the Resources of the State as the Salt, landed Collections, Customs, or any other Branch of publick Revenue ?

A. I think I have stated that publicly ; and I am sure I always thought so, and do now.

Q. That it had been considered as such during the Mogul Government, which farmed out the exclusive Privilege for an annual Peshcush ?

A. As far as my Enquiries went into that Subject, I was informed so.

Q. Do you believe that to be true ?

A. I believe it to be true.

Q. Do you recollect representing that the Institution of Inspectors had been found a useless Institution at Bahar ?

A. I desire to be referred to the Document where I have so represented it.

Q. (*by a Lord.*) Did you make any Representation to the Government in India, or to the Company here, respecting the Matter now proposed to you ?

A. If it is in Writing, and on Record, I certainly did.——I think such a Representation was made.

Q. Was that Representation according to the best Information you had, and Knowledge upon the Subject ?

A. Yes,—And I am of that Opinion now. I always thought Inspectors upon the Spot of the Manufacture

Manufacture an useless Institution, and calculated only to embarrass the Contractor, and of no Benefit whatever to the Company.

Q. (*by Managers.*) As you think the Opium Business a Matter of Finance, and not of Commerce, whether or no it was not bought and sold on Account of the Company?

A. When I said it was a Matter of Finance, and not of Commerce, I meant it generally as one of the Resources of Government, and not as an Article that was not originally bought and sold.

Q. Do you think there is a greater Aptitude in the Governor General and Council to dispose of that Commodity by way of Bargain and Sale than the Board of Trade? Whether there is any Advantage in point of Finance or of Commerce for the Governor General and Council to manage that Transaction, rather than the Board of Trade.—Were the Governor and Council, by their Situation, better enabled to manage that Business than the Board of Trade?

A. I think it was a Transaction that ought to come primarily under the Management and Direction of the Governor General and Council: with respect to the final Sale of it at Calcutta, I should suppose it was of very little Consequence whether it was sold under the Direction of the Governor and Council or the Board of Trade.

Q. What Convenience or Advantage had the Supreme Council in the Sale of Opium above the Board of Trade?

A. I should suppose that merely Matter of Opinion.

Q. (*by Counsel.*) Whether you know that Opium, to the latest Period of your Knowledge, has been sent to China for the Purpose of procuring an Investment for the Company there?

A. I know that Opium is purchased by Merchants, and exported to China.

Q. Has it been sent on Account of the Company, to procure their Investments in China?

A. I have heard that it has.

Q. Often?

A. I heard that it was sent, in One Instance, and only One Instance.

The Witness was directed to withdraw.

The Managers for the Commons stated, they would next produce the Contract itself.

Then, Mr. Hudson was again called in.

Read, from Book 262, the following Extract of a Consultation of the 5th of June 1781, beginning at Page 130 of the same Book.

“ Fort William, the 5th June 1781.

Rev. Dept.
Tuesday.

“ At a Council; Present,
The Honourable Warren Hastings, Esquire, Governor General, President;
And
Edw^d Wheler Esquire.

Contract executed.
Copy to be entered after Proceedings.

“ The Contract being now executed by the Board,
“ Ordered, That a Copy thereof be entered after this Day's Proceedings.

“ Whereas it is agreed between the said Stephen Sullivan and the said Governor General and Council of the Presidency of Fort William, on the Behalf of the said United Company, that the said Stephen Sullivan shall supply the said United Company, during the Space of Four Years, from the First Day of September next.” (a)

(Signed, at the End of the Consultation,)

“ Edw^d Wheler.”

The Managers for the Commons stated, they would next produce a Letter from the Court of Directors condemning the above Contract.

Bengal Dispatches.

Read, from Book 42, already delivered in, the following Extract of a Letter from the Court of Directors to the Governor General and Council at Fort William in Bengal, dated the 12th July 1782.

Opium.

Par. 53. “ Having, by our Letter of the 23d December 1778, Par^a 86 to 88, condemned the Contract entered into with Mr. Mackenzie, for the Provision of Opium, we cannot but be sur-

(a) Vide Appendix, N^o CLXXXVII.

prized at your having concluded a new Contract for Four Years, relative to that Article, with Mr. Stephen Sullivan, without leaving the Terms of it to the Decision of the Court of Directors. We do not mean to convey any Censure on Mr. Sullivan respecting this Transaction; but we cannot withhold our Displeasure from the Governor General and Council at such an Instance of Contempt of our Authority. (a)

Signed at the End of the Letter,

• " Robt Gregory,	Cha Boddam,	John Smith,	W. Devaynes,
Henry Fletcher,	John Hunter,	John Roberts,	George Cuming,
John Harrison,	Joseph Sparkes,	Step. Lushington,	Ja ^s Moffatt,
George Tatem,	R. Hall,	Ben. Booth,	Nath ^l Smith."
Jac ^s Wilkinson,			

The Managers for the Commons stated, that they had meant to have shewn the Two other Situations in Bengal in which Mr. Sullivan stood at that Time; but the Book not being at Hand, they would proceed to prove that Part of the Transaction relative to the Smuggling of Opium into China.

Read, the following Extract from Mr. Hastings's Answer to the Fourth Article of Charge, delivered at the Bar of the House of Lords :

" And the said Warren Hastings says, That the Governor General and Council, he being Governor General, did, in the Year One thousand seven hundred and eighty-one, declare, as the Truth was, that the Employment of the Shipping belonging to Bengal, in supplying the Coast with Grain, and the Difficulties and Obstructions apprehended in the Navigation of the China Seas from the Cruizers and Privateers which had been, and were expected to be fitted out from the Isle of France, Batavia, and other Places, to interrupt the Trade of the Eastward, had so much reduced the Demand for Opium, that they had found no Bidders at the Company's Sales at the Close of the last and the Commencement of the then Year, nor any Persons willing to become Purchasers of that Article at the moderate Price of Four hundred Rupees per Chest, at which it was afterwards exposed for private Sale; from which Causes almost the whole Produce remained on their Hands: But he denies that he ever monopolized Opium at an extravagant Rate, or that no Attempts were made by Persons employed by the Governor General and Council to sell the same at a low Price." (b)

Read, also, the following Extract of a Letter from the Governor General and Council at Fort William, Bengal, to the Court of Directors, dated 5th May 1781.

Par. 60. " We are sorry to acquaint you, that, owing to the indifferent State of the Markets of last Season to the Eastward, and the very enhanced Rates of Insurance which the War has occasioned, we have not been able to dispose of the Opium of the present Year to so great an Advantage as we expected, and that more than One Half of it remains still in your Warehouses. For our different ineffectual Endeavours to dispose of it by public Auction, and the Mode we have since been obliged to pursue in selling it by private Contract, we beg Leave to refer you to the Consultations marked in the Margin, which will fully explain to you our Proceedings on this Subject.

21 January.
23 March.

Signed at the End,

" Edw^d Wheler."

Read, also, the following Extract from Mr. Hastings's Defence at the Bar of the House of Commons.

☞ [" My Accuser has taken much Pains to prove that I was guilty of Inattention to the Interest of my Constituents, by loading a Quantity of Opium in Two Ships, for the Purpose of remitting a considerable Sum on the Company's Account to China. I shall merely observe upon this Part of the Charge, that in the critical Situation of our Affairs in India, in the Year One thousand seven hundred and eighty-one, when private Merchants were precluded from the Purchase of Opium, First by the Scarcity of Specie, and next by the Dangers to which Ships were exposed in the Indian Seas, the Question to consider was this, whether I should take the Chance of sending Opium to China and the eastern Islands on the Company's Account, in order to furnish our Supra Cargoes at China with a Supply of Specie, or suffer the Opium to remain One Season in Calcutta, and risque the Detention of the Company's Ships for One Year at Canton. Mr. Wheler and myself, for the Plan was Mr. Wheler's, determined to make the Experiment.] ☞ § (" The Supra Cargoes gave the following Information to

(a) Vide Appendix, N^o CLXXXV.

(b) Vide supra, Page 1307.

“ the Directors, which my Accuser has carefully suppressed: ‘ The Object of the Governor General and Council was, to raise a Sum of Money to answer the Exigencies of the Company’s Affairs in that Part of India, and at the same Time to afford us a Supply for providing the Cargoes for the present Year. Had Ophium not been imported in Portuguese Ships, and had the Captain obeyed his Orders, we have not the least Doubt but it might have sold to considerable Advantage. The *Betsy* was taken; had her Voyage been accomplished, we have great Reason to imagine, that the Honourable Company would have received considerable Advantage from it. She sold as much of her Cargo as produced Fifty-nine thousand six hundred Dollars, which was paid into the Honourable Company’s Treasury here.” § [The Ophium sent to China and the Islands in One thousand seven hundred and eighty-one, sold for Ninety-three thousand three hundred and forty-five Pounds Sterling, which was paid into the Treasury at Canton. The Scheme was a temporary one, and the Necessity urgent, both for raising a Sum of Money in Bengal, and remitting a considerable Sum to China. What my Accuser means, by stating that I was guilty of a Breach of Trust, by monopolizing an Article for which there was no Sale, I do not understand; had I thrown the Trade open, or relinquished the Contract for One Year, the Revenue had been lost to the Company for ever. From whence my Accuser received the Information that Mr. Sullivan sold his Contract to Mr. Benn, or that Mr. Benn afterwards sold it to another Person, I know not; If the Fact is so, the Sale was made without my Privy or Consent, nor can it be a Part of the present Question.”] (a)

Read, from Book 427, already delivered in, the following Extract of a Consultation of the 17th of September 1781.

“ Fort William, 17th September 1781.

“ At a Council; Present,
Edward Wheler Esquire;

The Honourable the Governor General absent on a Visit to the Northern Provinces.
Lieutenant General Sir Eyre Coote absent on Service at Fort St. George.

“ Mr. Wheler, conformably to the Desire of the Governor General, lays before the Board a Letter from Colonel Watson respecting the Sale of the Company’s Opium.”

Colonel
Watson.

§ (“ Gentlemen,

“ Having long considered, with great Surprise, the many Disadvantages to which the European and Indian Canimree of the Company and British Subjects are subjected to at the Port of Canton, by the Monopoly of the Cohing Merchants, who by such authorized Establishment are enabled to enhance the Value of their own Commodities, and lower the Price of all Goods imported into China at their meer Will and Discretion; I am at this Time induced to lay before the Board my Opinion of the great Benefits which might probably accrue to the Public by an Attempt to open a Trade with the Eastern and Northern Provinces of China, whose Inhabitants are now and have ever been the chief Consumers of the most valuable Articles exported from Great Britain; and it is to these Provinces that we are principally indebted for the Two most beneficial Articles of our Commerce, Tea and Raw Silk.

“ I am entirely at a Loss to account for the Reasons which first influenced the European Companies to fix upon Canton, the most Southern Port of the Chinese Empire, as a general Emporium of vending the Produce of their respective Northern Climates, and still more surprized at the Continuance of their Trade to that Port only; since it has been known that their Commerce with the other Provinces was neither prohibited or obstructed by the Emperor’s Order. The Attempts made by the English Company in the Years 1755, 1756, and 1757, to open a Trade at the Port of Limpo, in the Province of Chekyoung, is an indubitable Proof of the Fact.”

“ By this making Canton the only Mart of the Sale of European Goods and Purchase of Chinese Commodities, the Cohong Company has had its Rise, and are enabled to pay immense Bribes to the Manderines of Government for their lucrative Monopoly, which they have for many Years exercised, to the great Prejudice of the Company as well as of Individuals; and, I am credibly informed, that the British Subjects alone have, by their Confidence in the Credit and Security of the Cohong Company, already sustained a Loss of something more than Seven Millions of Spanish Dollars by Money lent upon Bonds, which enormous Sum still remains due to them, and almost without any Prospect of ever being repaid, except by an immediate Representation to the Court of Pekin. The late Demands and Representations made by Captain Panton to the Governor of Canton, have only extorted something like a Promise to oblige the Chinese Merchants to repay the Principal Sums lent within the Space of Ten Years.

“ The present deplorable State of our Indian Commerce to China, in particular that of Bengal, from the Controul which the Cohong Company are allowed to exercise at the Port of Canton, must soon be severely felt by the East India Company themselves. As the Sales of Opium,

(a) Vide Appendix, N° CLXXXVIII.

* and such other Articles as are procured with it, are now little more than sufficient to purchase the necessary returning Cargoes, and do not allow our Merchants to furnish the Company with the usual Supplies of Cash so necessary for completing their China Investment.

" In order to remedy this unfavourable Circumstance, and prevent the great Loss which the British Nation must soon suffer by a Diminution of their China Imports, from a Want of Cash to complete the Lading of their required Tonnage, I take the Liberty likewise to suggest the Expediency of this Government now taking the Opium Trade to China immediately under its own Management, and consigning the whole Quantity that may be required for that Market to the Company's Supercargoes at Canton. The great Loss and Disappointment which the British Traders in Opium have suffered this last Season, call for such a Remedy as I have recommended, and I do not see any other Expedient that can so completely counteract the Cohong Monopoly, as that of the Company themselves becoming the only Dealers in this Staple Article, upon which (so certain is the Demand for it) they may affix almost what Price they please, in Reason.

" By the best Authority I find that the present yearly Consumption in the South-east Provinces of China alone amounts to Twelve hundred Chests, which, at the moderate Price of Five hundred Spanish Dollars per Chest, will furnish the Company with a Supply of Six Lacks of Dollars per Annum to complete their Investment.

" If the Board, upon mature Deliberation, should adopt my Opinions respecting the probable Advantages which might accrue to the British Nation and Company by an Attempt to open a Trade with the eastern and northern Provinces of China, and carry our European to those Countries that now consume and take off the principal Articles of the British Exports, as well as furnish the most valuable Articles for the Europe Markets, and also approve of the present Expediency of monopolizing the Opium Trade in China; in that Case I take the Liberty of making a Tender of my Ship now building at Kidderpore, for the Purpose of carrying both Plans into Execution, for which, in my humble Opinion, she will be exceeding well adapted on Account of her great Force, and moderate Draught of Water, besides promising, when sheathed with Copper, to be a prime Sailer.

" The Opium intended for the China Market I propose to take upon Freight, the Amount of which may be either paid in Bengal or at Canton, as the Board may deem most eligible; and after delivering this Opium to the Supra Cargoes, I further propose to freight the Ship to the Company at a stipulated Rate per Month during such Time as she may be employed in attempting to open a Trade with the eastern and northern Provinces of China, or in executing any further Plans which may be thought expedient by Government, till her Return, and the Delivery of her Cargo at the Port of Canton.

" Such are the Outlines of the Plan which I suggest to the Consideration of the Board, and I am persuaded if the Endeavour to open a Trade with the eastern Ports of China is intrusted to a Man of Prudence and Perseverance, that such Lights will be obtained as must have the most beneficial Consequences both to the Company and British Subject in India.

" Fort William,
29th March 1781.

I am, &c.
(Signed) " Henry Watson." §

☞ [" Agreed, That Lieutenant Colonel Watson's Tender of his Ship the Nonfuch, to carry Opium to China, on Account of the Honble. Company, be accepted on the following Terms :

" The Nonfuch to be ready to sail from this Port in all the Month of December.

" The Quantity of Opium to be sent on the Nonfuch not to be less than Two thousand Chests, for which the Board agree to allow Colonel Watson Fifty Sicca Rupees per Chest Freight from Bengal to Canton.

" The Amount of the Freight to be paid to Colonel Watson's Agents at Canton, by Bills drawn on the Supracargoes there, by this Government, at the usual Rate of Exchange, viz. Forty-one Spanish Dollars for One hundred current Rupees.

" If the Board shall think proper to lade on Board the Nonfuch any other Goods or Treasure for China, such Goods or Treasure to be delivered at Canton Freight free.

" Colonel Watson to enter into Engagements, that no Opium shall be received on Board the Nonfuch, either before her Departure from this Port, or at any Time during his Voyage from Calcutta to Canton, except what shall be laden on her by the Governor General and Council.

" The Port Charges and Privileges to Officers to be paid by the Company, and the latter to be determined by such respectable Merchants of Calcutta as may hereafter be chosen for that Purpose.

(Signed at the End of the Consultation)

Edw^d Wheler." ☞

The Managers for the Commons stated, they would next proceed to prove, That in Consequence of the above Transaction of sending Opium to China, a Loan was proposed in Bengal, the Money to be advanced into the Treasury of Bengal, and Certificates received for it, which Certificates were to be converted into Bills in China.

Read,

Read, from Book 440, Page 250, already delivered in, the following Extract of a Consultation of the 1st November 1781, beginning at Page 250 of the same Book.

Pub. Dept.
Thursday.

" Fort William, 1st November 1781.
" At a Council, Present,
Edward Wheeler,
and
John Macpherfon, } Esquires.

The Honourable the Governor General absent on a Visit to the Northern Provinces.
Lieutenant General Sir Eyre Coote absent on Service at Fort St. George.

Read, the following Letter and Inclosure from the Governor General.

" Gentlemen,

" The short Interval allowed between the Date of the Advertisement of the Board's Intention to open a Remittance to Europe for the Receipt of the Company's Civil and Military Servants through the Treasury at Canton; and the Time limited for the Delivery of the Names of the Subscribers to it, added to the Consequences of the Troubles in these Districts, having prevented many Gentlemen in this Part of the Country, who were desirous of subscribing, from communicating their Orders to their Correspondents at the Presidency in sufficient Time to be effectual, I have the Honour to transmit to the Board a List of their Names, and make it my Request, that if the Certificates have not yet been delivered to the Subscribers according to the Proportions which at present stand allotted to, or there should not be any other essential Impediment to the Compliance with the Wishes of these Gentlemen, they may yet be indulged with Shares in the Remittance.

Benares,
22d October 1781.

" I have the Honour, &c.
(Signed) " Warren Hastings."

" List of the Gentlemen mentioned in the Governor General's Letter to the Honble. Board, of this Date, as desirous of sharing in the Remittance to Europe through Canton, in Bills granted on the Honble. Court of Directors by the Supra Cargoes at that Place :

" Mr. David Anderson,	Lieutenants. Mitchell,
Mr. Richard Sumner.	James Anderson,
Majors. William Popham,	Alexander Macleod,
Humphries,	Reid,
Lane.	Crawford,
Captains. James Law,	Falvey,
Dennis,	Charles Gladwin,
Harrison,	Moncrief,
Thomas Gladwin,	Cummine,
Ludowick Grant,	Townsend,
Jonathan Scott,	Mackenzie,
Thomas Blair.	Monifan,
Lieutenants. John Harrison,	Baillie,
William Toone,	Sands,
Windwood,	Horsley Kutchisson,
Piggott,	Lucadore,
Fallon,	Evelyn.
D'Eftene,	Surgeon. Charles Laird.

(Signed)

" E. Hay,

Sub Secy. to the Honble.
Go. Genl and Council.

(Signed at the End of the Consultation)

" Edw^d Wheeler,
John Macpherfon."

Read, from Book 427, already delivered in, the following Extract of a Consultation of the 30th July 1781.

" Fort William, the 30th July 1781.

" At a Council, Present,
Edward Wheeler Esquire.

The Honourable the Governor General absent on a Visit to the Northern Provinces.
Lieutenant General Sir Eyre Coote absent on Service at Fort Saint George.

" Ordered, That the Treasury be opened for the Receipt of C^d 10,00,000, to be taken up on the above Remittance to China, and on the Terms mentioned in the following Advertisement.

" Advertisement, 30th July 1781.

" The Honourable the Governor General and Council having resolved to export the Opium now in their Warehouses to China, to serve in lieu of the usual Remittance in Bullion, they hereby give public Notice, that they will open their Treasury for the Civil and Military Servants of the Company, the Representatives of those relieved from the Service and gone to Europe, or the Administrations to the Estates of deceased Persons. Certificates will be granted by the Honourable the Governor General and Council, which will entitle those who pay in Money to exchange them for Bills to be drawn by the Supra Cargoes at Canton, for the Proceeds of the above Opium, on the Court of Directors in Leadenhall Street, at the Rate of Sicca Rupees 214 and 4 Pice per 100 Spanish Dollars, and the Dollar to be rated at whatever may be the Exchange fixed by the Supra Cargoes for the Season in which the Bills shall be drawn. Subscriptions will be received at the Secretary's Office from all Servants of the Company, Civil or Military, who are willing to partake of this Remittance, provided they be delivered in before the 25th of next Month; a Distribution will then be made of the Remittance, the Shares to be regulated by the Rank which the Subscribers hold in the Service, which Distribution will be lodged at the Treasury, and the Amount allotted to each Subscriber to be paid into the Treasury on or before the 10th of September, after which the Treasury will be closed.

Advertisement relative to the Remittance to China.

" The Risk of the Voyage to be on Account of the Company, and should any Accident happen to prevent the safe Arrival of the Ship on which the Opium is to be laden in China, the Money subscribed will be repaid at the Treasury in Fort William, with an Interest of Eight per Cent.; or should the Ship not carry Funds to China equal to the Amount subscribed, the Supra Cargoes will curtail from the Drafts allotted to each Subscriber on the Court of Directors a Sum equal to the General Deficiency on the whole Remittance, and whatever Sum may be so curtailed will be repaid at the Treasury in Calcutta, with an Interest of Eight per Cent. a Voucher being produced from the Supra Cargoes that such Deduction was made.

" Ordered, That the above Advertisement be immediately published, and a Copy sent to the Sub-treasurer, with Directions to receive the Amount subscribed, whenever the different Shares shall be determined agreeable to the Terms inserted therein.

(Signed, at the End of the Consultation,)

" Edward Wheler."

Read, from Book 440, already delivered in, the following Extract of a Consultation of the 22d of November 1781, beginning at Page 553 of the same Book.

" Fort William, 22d November 1781.
 " At a Council, Present,
 Edward Wheler
 and
 John Macpherson, } Esquires.

Pub. Dept.

" The Board, taking into Consideration the Necessity of raising Money upon the Opium which is to be consigned to the Supercargoes at Canton by the Nonsuch, in Consequence of their Resolution of the 17th September, and referring to the Publication issued on the 30th of July last, upon the Occasion of lading 1490 Chests of Opium on the Betsey, the Proceeds of which are to be paid into the China Treasury,

" Agree, that the following Publication shall be now issued for taking up the Amount of Ten Lacks of Rupees on the like Terms for the present Occasion.

" Whereas the Honourable the Governor General and Council have resolved to take up a further Loan of Ten Lacks of Current Rupees, upon the Security of the Opium now preparing to be exported by the Nonsuch, on the Terms as that which has been received in Consequence of their Advertisement, dated 30th July last, upon the Opium exported by the Betsey.

Advancement respecting the Opium on the Nonsuch.

" Notice is hereby given, that Subscriptions will be received at the Secretary's Office, to the Amount of Ten Lacks of Rupees, to be paid into the Treasury by the Parties subscribing, any Time before the 31st of January next, for Certificates to be granted by the Honble. the Governor General and Council, to be exchanged at Canton for Bills, at the usual Sight, on the Honble. the Court of Directors, to be drawn by the China Supra Cargoes, for the Amount which shall be realized from the Sale of the said Opium, at the Rate of Sicca Rupees 214 and 4 Pice per 100 Spanish Dollars, and the Dollar to be valued in Sterling Money at whatever Exchange may be fixed by the said Supra Cargoes, for the Season in which the Bills shall be drawn.

" The Risk of transporting and selling the Opium will be on Account of the Company; but should it's safe Arrival or Sale be prevented by any Accident, the Money subscribed in consequence of this Publication is to be repaid to the Subscribers, or their Assigns, at the Treasury in Fort William, with Interest from the Date of its Receipt at the Rate of Eight per Cent. per Annum; or, if the Fund realized at China from the Consignment shall be unequal to the Sum received here upon it, the Supra Cargoes are to limit their Drafts in Proportion to each Subscriber, and the Difference will be repaid to them respectively, with Interest after the above Rate, at the

* Sic in Orig. Treasury in Calcutta. or * tendering Vouchers from the Super Cargoes expressive of such Deficiency.

" Fort William,
22d Nov. 1781.

By Order of the Honble. the Gov^r Gen^l, &c."

(Consultation not signed.)

Then the following Question was put to Mr. Hudson.

Q. (*by Counsel.*) Do you not know that the Application of Opium to our China Trade has been a Measure approved, recommended, and ordered by the Board of Controul?—Whether the very Measure of exporting Opium for the Purpose of its being applied to the China Trade, and the Company's Investment to China, has not been a Measure in Terms not only recommended, but ordered by the Board of Controul in the Year 1786?

The Managers for the Commons objected to the same.

Read, from Book 440, already delivered in, the following Extract of a Consultation of the 5th November 1781, beginning at Page 291 of the same Book.

" Fort William, 5th November 1781.

Rev. Dept.
Monday.

" At a Council, Present,
Edward Wheler
and
John Macpherson, } Esquires.

The Honourable the Governor General absent on a Visit to the Northern Provinces.
Lieutenant General Sir Eyre Coote absent on Service at Fort St. George.

" Resolved that the following Letter be written to the Governor General.

Page 291.

" Finding that there were still a considerable Balance of the Fund subscribed for a Remittance by way of China unpaid, we have admitted the Names of the Persons recommended by you for that Purpose, and have allotted them the Shares of their respective Ranks in the Service, the Amount will of Course be received from the Agents at the Treasury.

(Signed and dated at the End of the Letter,)

" Fort William, 5th November 1781

We are, &c.

(Signed at the End of the Consultation,)

Edw^d. Wheler,
John Macpherson."

Read, also, from Book 429, already delivered in, the following Extract of a Letter from the Council at Canton to the Court of Directors, dated 28th December 1782.

[Par. 35. " On the 21st July, the Nonsuch, Captain William Richardson, arrived in Macao Roads from Bengal, last from Bencoolen, having on Board Opium on Account of the Honourable Company; and Packets from both those Presidencies.

36. " The Presidency of Fort Marlborough informed us, that they had upwards of 2000 Tons of Pepper, and were daily receiving more, but as they had no Intimation what Ships might be expected from Europe or the Presidencies, were ignorant what Quantity they should be able to send us; but that if Two ships arrived they could give them from Four to Five hundred Tons each; that they had drawn Bills to the Amount of Dollars 11,631, requesting us to honour the same, which we accordingly did.

37. " The Governor General and Council of Bengal inform us, that they have laden on the Nonsuch 1,601 Chests of Opium on Account of the Honourable Company, amounting to current Rupees 825,023 : 5 : 11; that they had drawn upon us for the Sum of 38,048 Spanish Dollars, in Favour of Lieutenant Colonel Henry Watson, being the Amount of the Freight due to him for the Opium laden on the Nonsuch;—also for the further Sum of 3,805 Dollars, payable to Lieutenant Colonel Henry Watson, or Order, being the Amount of what they had agreed to allow the Captain and Officers of the Nonsuch in Lieu of Privilege; that they had agreed that all the Port and Factory Charge incurred on Account of the Nonsuch, while in the Company's Service, should be at their Expence. That they had likewise agreed with the Owner Lieutenant Colonel Watson, to allow him at the Rate of 110 Spanish Dollars per Day for Demorage, provided any Part of the Company's Opium remained on Board after the Expiration of Forty Days, to be estimated from the Time of her entering Canton River, or coming to an Anchor off the Port of Macao: They enclosed a Copy of Colonel Watson's Orders to the Commander of the Nonsuch; also a Copy of their Orders to Captain Cudbert Thornhill, whom they had charged with the Disposal of a Quantity of Opium laden on the Betsey, of which we shall take Notice hereafter; and drawn in his favour for Sicca Rupees 73,000, being the Amount of Freight due to him as Owner of the Betsey.

38. " Lieutenant Colonel Watson's Orders to the Commander of the Nonsuch, directed him on no Account to attempt the Straits either of Malacca or Sunda, but to shape his Course to the Westward

Westward of the Island of Java, passing to the Southward thereof; not to speak any Vessel great or small, and shew no Colours but from Necessity during the Passage from Bengal to the S. E. End of Java; from thence, and during the Passage through the Eastern and China Seas, to speak all Vessels, except such as appear formidable, that he might get Intelligence of any Cruizers that might be stationed in the Narrow Seas; to shew French Colours from Java to the Phillipine Islands; and from thence to China, a Spanish Ensign and Pendant; that he was on no Account to part with the Sloop which accompanied, except on being chased by a Ship of equal Force, which he was at all Times to avoid; to be constantly on his guard against any Surprise while at Anchor in any Port or Harbour; and to enter the River of Canton as an armed Ship, and give Notice to us of his Arrival, and not proceed further without our Orders.

39. " Notwithstanding the above Direction, we are informed that the *Nonfuch* was above a Month in the Straits of Malacca, at Acheen Quidah, &c. where she disposed of a considerable Quantity of Opium on private Account, and did not depart from thence before they received Intelligence from a Portuguese that four Dutch Ships were cruising for them. They were afterwards at Fort Marlborough; and the *Patna* Sloop, which was on no Account to part from the *Nonfuch*, was dispatched to Bengal with Produce of the Opium sold in the Straits.

40. " The *Nonfuch* is a new Frigate-built Ship, sheathed with Copper, carries Thirty-two Guns, and has on Board a Detachment of Sepoys. According to Agreement, she was to receive not less than 2,000 Chests of Opium for the Company, but from the Quantity of private Property laden on her, was not able to receive more than 1,601. Besides the Opium before-mentioned, there was also a Quantity of Lead, Elephants Teeth, and some Gold.

41. " The Agreement with Captain Thornhill specified that he should proceed to Rhio, in the Straits of Malacca, where he was to endeavour to dispose of the 1,466 Chests of Opium, laden on the *Betsy*, to the best Advantage, in Exchange for which, he was to receive Spanish Dollars, Tin, Pepper, or other Commodities suited to the China Market; that he was to be joined in the Month of June by the Company's armed Ship *Yarmouth*, then on a Voyage to the Coast of Comorandel with Stores, which would assist him in transporting to China such Goods as he should receive in Exchange for the Opium, and also protect him against the Enemy.

42. " Had this Voyage been accomplished, we have great Reason to imagine that the Honourable Company would have reaped considerable Advantage from it; it is, therefore, with great Sorrow we inform your Honors, that the *Betsy* was captured in the Month of March last, by a small Privateer called the *St. Therero*, in Company with One of the Dutch Company's Ships;—but not before as much of the Opium had been sold as produced the Sum of Dollars 59,600, which was paid into the Honourable Company's Treasury according to Agreement.

43. " As the Freight of this Ship, as well as the *Nonfuch*, was paid before-hand, contrary to the usual Custom, we were under the Necessity (though with Regret) of accepting the Bills drawn on us to that Amount.

44. " The Object of the Honourable the Governor and Supreme Council of Bengal was, to raise a Sum of Money to answer the Exigencies of the Honourable Company's Affairs in that Part of India, and at the same time afford us a Supply for providing the Investment of the present Year; which Money was to be raised by Subscription, and upon the Receipt thereof the Subscribers were entitled to Certificates, which they were to exchange here for our Bills on the Honourable Court of Directors; that if the Amount of the Cargoes when sold should not come up to the Sum subscribed, a proportionate Deduction was to be made by us from every Sum subscribed, and the Difference repaid to the Subscribers at Bengal, with an Interest of Eight per Cent. per Annum; and if the Sale or safe Arrival of the Opium should, by any Accident be prevented, the Money to be repaid to the Subscribers at the Treasury in Fort William, with the Interest above mentioned.

45. " The Importation of Opium being strongly prohibited by the Chinese Government, and a Business altogether new to us, it was necessary to take our Measures with the utmost Caution: As this Article is frequently disposed of at Macao, where it can be landed without Interruption, we at first determined to keep the Ship a few Days at that Place, till something could be agreed on relative to the Disposal of the Cargo, but on consulting with Sinqua, One of the newly appointed Hong Merchants, and a considerable Dealer in Opium, he was of Opinion her remaining there might cause Enquiries to be made which would be attended with Inconveniencies, at the same Time assured us he would use every Endeavour to serve the Company upon this Occasion; we had also acquainted Poan Khequa with the Affair, who gave it as his Opinion that the Ship should go to Whampoa to prevent Suspicion; we therefore ordered Captain Richardson to proceed thither; and likewise sent for our Chop to return to Canton; in the mean Time we had several Conferences with Sinqua, whom we wished to treat with for the Sale of the Cargo; he would not however come to any Conclusion till we had seen Poan Khequa, whom he was very desirous should take some Part of it in Conjunction with him, and whose Power and Influence he thought would protect him in case of any Trouble from the Mandareens, which is sometimes attended with very serious Consequences; we, therefore, having received our Chop returned to Canton, where we arrived on the 18th of August. We took the first Opportunity after our Arrival to see Poan Khequa, to whom we represented the great Service he would render the Honourable Company if he could suggest any Plan to assist us in the Disposal of the *Nonfuch*'s Cargo;—he said his Exertions should be used, that he would consult with Sinqua on his Arrival from Macao, and endeavour at some Expedient

Expedient to serve us, but declared he would not take any Concern in it himself. On Sinqua's Arrival they had several Meetings, but without coming to any Determination. We wished very much that Sinqua should purchase it, and Poan Khequa become Security for the Payment; this however could not be accomplished, as Poan Khequa was unwilling to have his Name made use of in the Affair in any Shape whatever, in which he certainly was not to blame, as it might, if known, afford his numerous Enemies an Opportunity to give him infinite Trouble.

46. " After many delultory Conferences, the following Proposals were made us by Sinqua; He offered 200 Head Dollars per Chest, to pay 100,000 on or before the Chinese new Year, (Second of February) and to discharge the Whole in Twelve Months from the Time the Agreement should be concluded. We told him, that on such Terms the Company would be considerable Losers, and pressed him to offer something more. He then proposed 210 Dollars, declaring that was the highest Price he could venture to afford. Should his Terms be accepted, he proposed purchasing a Ship at Macao, on which he would lade 1400 Chests for the Malay Coast, and sell the rest at Whampoa.

47. " His Reason for exporting it is, the immense Quantities brought by the Macao Ships, which has so well supplied the present Demand, as not to afford him an Opportunity of disposing of any considerable Part of it to Advantage. Though these Terms are not very advantageous, they were only Once offered during the Space of more than Three Months that the Ship had been here. Sinqua, though a new Man to us, is a Hong Merchant, has great Credit, and has transacted Business of this Kind with Individuals to a great Amount, and has always discharged his Obligations with Honour and Punctuality; we therefore determined to accept his Terms, seeing no other Alternative but to return the Cargo to Bengal, by which the Honble. Company would have incurred the Risk of the Seas and Enemies, the Payment of a high Freight, and Eight per Cent. per Annum on Ten Lack of Rupees.

48. " The Loss to the Honble. Company, including Port Charges, Demorage, Factory Charges allowed the Captain, will amount to about 69,973 Dollars. For the Particulars we beg Leave to refer your Honors to the enclosed Account Current and Account Sales.

49. " Had the Supreme Council, which it was in their Power to do, prevented the Exportation of Opium on the Macao Ships; or had the Commander, agreeably to his Orders, proceeded to China without Deviation, by which he would have arrived above a Month before them, we have not the least Doubt but it might have been sold to a considerable Advantage. But on a Review of these Circumstances, with the extravagant and unusual Terms of the Freight, Demorage, Factory Charges, &c. we cannot help being of Opinion, that private Considerations have been suffered to interfere too much for any Benefit that may have been intended to the Honble. Company.

50. " We hope for the Honble. Court's Approbation of our Conduct in this Affair; the Novelty and Nature of the Consignment has been the Source of much Trouble and Anxiety; and though we wish to have had in our Power to do better, we may truly say we have exceeded our Expectations.

51. " As the Cargo is to be delivered at Macao, we dispatched Mr. Bruce to that Place, to give the necessary Directions, and return the Bill of Lading.

52. " By the Terms of the Agreements with Sinqua, the Nonfuch's Cargo was to be delivered by the End of November; but, on Account of the Private Trade, the Grand Chop could not be procured before the 12th December.

53. " As this Ship has no returning Cargo, and the Security Merchant would be thereby subject to the Exactions of the Hoppo for Deficiency of Duties, we applied to Poan Khequa, Chewqua, Manqua, and Shy Kiqua, to become jointly Securities, whom we understand the Hoppo has compelled to promise the Sum of 20,000 Tales on that Account, and the Pretence of her being a Ship of War, of which, on Account of the Sepoys on Board, he cannot, or will not be persuaded to the contrary."]

§ (54. " On the 13th August, being then at Macao, we received a Packet from the Honourable Court by a Swedish Ship, in which we are informed it is your Honor's Intention to dispatch Thirteen Ships to this Place from Europe, together with One from Bombay, this is the only Intelligence we have received from England this Year. As the Arrival of our own Ships in these Times is very precarious, and our Want of early Advices of the Honourable Court's Intentions liable to be productive of great Inconveniencies, the Security of this Conveyance makes us wish your Honors would make use of it to transmit further Information of your Commands.

55. " On the 4th of September we received a Letter from the Presidency of Madras by a Danish Ship, by which we learnt, that the Ships Duke of Portland, Royal Charlotte, Ponsborne, and Contractor, were safe off the Nicobars the 11th of March last.

56. " They informed us, that their Distress for Money had rather increased than diminished, and that they could not flatter us with any Hopes of a Supply from thence: That the China Ships of last Year arrived too late to proceed on their intended Voyage, they had therefore employed them in bringing Rice from Bengal; that the Valentine had been dispatched for Europe, and the Essex and Southampton were under the Necessity of going to Bombay for Repair; that the Fortitude was a missing Ship, (we have since heard she was taken by a French Frigate), that the Queen was intended to be dispatched for Bencoolen with Stores, from whence she was to proceed to China by one of the Eastern Passages; that the Earl of Hertford was upon Service to the

" Northward

“ Northward, and would be dispatched to us, if practicable; that they ordered the Letter Packets
 “ and Broad Cloth to be landed; and that they would forward them to us by the first Opportunity;
 “ and that they disposed of the perishable Stores intended for the Use of the Factory, at publick
 “ Sale.

57. “ By the Fox Packet your Honor's were pleased to inform us, that you had ordered Four
 “ of the Ships destined for the Presidencies to be dispatched from India to this Place, if no Invest-
 “ ment should be ready for them, in Addition to those intended for China; we had no Reason to
 “ doubt the Arrival of the Ships of last Season; and from the early Preparations which we un-
 “ derstood were making for the Dispatch of the Ships of this Season, were not without Hopes that
 “ a Part, at least, of those might arrive also; we had accordingly made Provision for nearly
 “ Fourteen Ships; it was not therefore with less Surprize than Concern, that we learned by the
 “ above Letter, how much we were likely to be disappointed; of the Four Ships we had expected
 “ no mention is made; the Fleet of this Season we understand did not sail till the Sixth February,
 “ so that we can have no Hopes of them; and of the Ten Ships of last Year, we saw little Pro-
 “ bability of more than Four arriving. In this Situation, we took into Consideration the Em-
 “ barraiments we laid under from our Engagements, and the Inconveniencies we should bring
 “ upon the Honourable Company, by drawing upon them to so great an Amount, without being
 “ able to send Home Cargoes in any Degree answerable to such Drafts. We had packed, received,
 “ and contracted for Peculs 68288,07, amounting to Tales 561076,979; we therefore resolved, if
 “ possible, to prevail on the Merchants to relinquish a Part of their Bohea Contracts, which would
 “ be a considerable Relief to us. On making this Proposal, Chowqua Munqua and Shy Kinqua
 “ readily agreed to relinquish One Half; Poan Kequa said, that as he had provided the whole
 “ Quantity, it would be extremely inconvenient, but at our Request would consent to relinquish
 “ a Part, desiring nevertheless it might be only One Third. We mentioned our Doubts to him
 “ of being able to pay for 6000 Peculs; to which he replied, we might pay for 1500 when it
 “ suited us, which we agreed to. Our Contracts are by this Means reduced from 19,000 to
 “ 11500 Peculs; but in case of the Arrival of Thirteen Ships, we have engaged to take the
 “ Whole at the Contract Price.

58. “ Though this is considerable Relief, still enough remains to give us great Uneasiness, as well
 “ on Account of the Necessity we shall be under of drawing Bills to the Amount to discharge our
 “ Obligations, as from our Apprehensions of the Detriment to which such Goods are liable from
 “ being long kept, and the Risque of Fire and other Accidents. We hope nevertheless, your
 “ Honors will be of Opinion, that in making the above Provision we did not exceed what we
 “ might have Reason to think necessary. We had informed the several Presidencies in India of
 “ our Proceedings, and did not doubt but they would take the first Opportunity of dispatching
 “ to us the several China Ships under their Orders, some of which we had intended to dispatch as
 “ early as November, if possible, in which Case it was absolutely necessary to have the Cargoes
 “ ready; we had moreover the Experience of former Years to convince us, that if so many as
 “ Twenty Ships had arrived, all the Tea of any One Season (especially considering the great
 “ Encrease of foreign Competitors) would not have sufficed to load them.

59. “ As we shall have near Ten Cargoes remaining after the Dispatch of the Ships now here,
 “ we have judged it prudent to defer entering into any further Engagement, till we can be better
 “ assured what Number of Ships may be expected, and likewise what Assortment may have been
 “ ordered by the List of Investment, the Want of which had so embarrassed us last Year.

60. “ On the 1st of October, we had the Satisfaction to hear of the Arrival of the Ships
 “ Locko, Asia, Osterley, and Essex, off Macao, from Bombay, together with the Shaw, Byram
 “ Gore, C untry Ship; they were attacked in the Straits of Malacca by the Pourvoyeur, a
 “ French Frigate of Forty-four Guns, which they beat off, after an Engagement of Two Hours
 “ and a Halt, in which the Osterly lost Two Men: They sailed from Bombay the 8th August.
 “ We had been in some Alarm concerning these Ships, having been informed that a Portuguese
 “ Vessel, which sailed from Bombay a few Days before them, had met with the Pourvoyeur, and
 “ given Information of the intended Time of their Departure, which determined her to wait for
 “ them, contrary to her original Destination.

61. “ The Governor and Council of Bombay inform us, that the Asia, Latham, Locko, and Of-
 “ terley, destined for Coast and China, arrived there the 5th of March last; the Essex had also
 “ been sent round from Madras; that the Intelligence from thence rendering it dangerous for them
 “ to proceed thither, they had dispatched the Locko, Asia, Osterley, and Essex, for China, the
 “ Latham not being in a Condition to proceed: That for the same Reason given last Year, they
 “ had pursued the same Method of securing Money for the Stocks of those Ships, and on the same
 “ Conditions; that they transmitted a Manifest of the Treasure on Board each Ship, which they
 “ requested might be delivered to the Agents of the Proprietors, who were instructed to pay the
 “ Produce into our Treasury, according to the Obligation they had subscribed, amounting to
 “ Rupees 639480 2 63.

62. “ That not being able to furnish Cargoes for these Ships, they had taken some Cotton on
 “ Freight, the Produce of which was at the Disposal of the Proprietors, and went at their
 “ Risque.

63. " The last mentioned Circumstance we must acknowledge was some Disappointment to us; for though we did not expect any Consignment on the Honourable Company's Account, not having received a full Cargo from thence since the Year 1777; we had flattered ourselves with Hopes that the Produce of what they might bring on private Account would at least have been secured for the Honourable Company's Treasury.

64. " We also received by these Ships the several Packets from England, (except the Essex's, which we understand was thrown overboard at St. Jago); it was not without some Surprise that we perceived the Honourable Court's Instructions to us had been opened: As it frequently happens that there are Circumstances mentioned in these Instructions relative to the Exchange, and other Matters which your Honors do not wish to be generally known before their Arrival here, we have thought proper to mention this Circumstance, that such Inadvertency may be prevented hereafter.

65. " The Lead by the above Ships was disposed of to the several Security Merchants at 4 T : 5 M. per Pecul, which was the highest Price we could obtain; the Lead by the Essex was landed at Bombay.

66. " On the 2d November, the Season being pretty far advanced, and no Probability of our having any further Advices from England, we took in Consideration the settling an Exchange, which we had deferred as long as the Nature of the Business would admit.

67. " In reviewing the Sources from whence we might, with greatest Reason, expect the most effectual Supplies, we could not, without Concern, perceive how little it is in the Power of the Honourable Company's Settlements to render us any Assistance. From Fort St. George we can have no Hopes of the smallest Aid, either now, or for a long Time to come; and we cannot conceive that any other Reason than their great Distress for Money, could have induced the Supreme Council to take so unusual and inconvenient a Method of supplying us with Funds, as that of consigning to us a Cargo of Opium. At Bombay, where a Ship is sent annually for the sole Purpose of bringing a Cargo here, the Distress is so great that it was thought an Object by that Government to receive Freight for the Cotton laden on the Four Ships, the Produce of which was to be at the Disposal of the Proprietors, when, by loading them on the same Terms with the Gold, that is, Freight free and at the Company's Risk, they might have secured the Whole to our Treasury; we must, therefore, depend solely on the Commerce from India carried on by Individuals, and the private Property sent here; it is then our Policy to hold out such Terms as may induce them to venture their Property to this Place in Hopes of a good Remittance.

68. " The great Risque and heavy Charges attending the Country Trade in these Times, which were our Inducement for raising the Exchange last Year, are considerably encreased; One Ship, and the most valuable, (the Cartier), was captured in returning to Bombay from thence; the Betsey, from Bengal, was taken in the Straits of Malacca, and only One Ship has yet imported here; the greatest Encouragement in our Power is therefore necessary to induce them to persevere under such Disadvantages; as we can, with great Truth, affirm that the Decline of Trade, and Want of Specie here, will very soon, if no favourable Change happens, have very serious Consequences on the few remaining Merchants of this Port.

69. " From the best Accounts we can procure there is but a very small Sum in the Place, for which we have the Danes and Swedes our Competitors; for though there are Six Ships loading at Macao for Lisbon, Two of which only have Money, they find sufficient Credit with the Merchants to answer their Purposes. The Danes expect Five Ships, though Four only are yet arrived; and though they have had a considerable Sum sent out from Europe, and have likewise received Fifty Chests of Treasure intended for their Settlement at Tranquebar, the providing an Investment for Five Ships, and discharging their Debt of last Year, makes them very desirous of all the Money they can procure; the Swedes likewise have imported much less than they want for the purchasing Three Ships Cargoes, and discharging their Debts contracted last Year.

70. " We have also a large Debt, which it is certainly adviseable to discharge, if possible, though from the long Credit granted on the Opium we have no Reason to believe it will be in our Power; this, however, we do not conceive to be of such Importance as the securing Supplies for the ensuing Season, which we have Reason to imagine will entirely depend on our Determination.

71. " As it did not therefore appear to us that the Interest of the Honourable Company would be any-ways promoted by a Reduction of the Exchange, we resolved to continue it at 5 s. 6 d. Sterling per Dollar.

72. " It may be objected, that notwithstanding the very favourable Terms we gave last Year, very considerable Sums have been sent here, with positive Orders to remit the same by foreign Channels in Preference to ours; with respect to that from Bengal it is to be observed, that the Terms of last Year were scarcely known when the Nonsuch left that Place; but by what we can learn from the most intelligent Persons from thence, we have Reason to expect very great Sums by the first Opportunity, and that such as were informed of it expressed great Satisfaction at the Exchange. The Terms on which the Cotton from Bombay was freighted may seem to

“ indicate an Intention of securing a Foreign Remittance; some Allowance however ought to be made on the Consideration that a great Part of that Amount is to be applied to the Purchase of Two Ships Cargoes to return to Bombay, which must necessarily remain at the Disposal of the Proprietors; and as the Value of such Cargoes could not be ascertained there, it is not unreasonable that they should wish to retain such a Sum unengaged, as would effectually answer their Purpose; the Remainder indeed we have too much Reason to believe is intended to fulfil certain Engagements entered into last Season with the Danes, a Precaution to receive a good Remittance adopted by some Persons, who, judging from the usual Uncertainty of our Exchange, and knowing that the Terms given last Year were in consequence of Application from the principal Money Holders, and on Condition that we had all the Money in the Place, might look upon it as an Expedient to answer the Purpose of the Moment, and not think it a Rule to guide them another Season. A Repetition of such favourable Terms, co-operating with the Conviction how much the Exchange of the Foreign Companies is regulated by ours, may we hope inspire a greater Confidence in future.

73. “ We hope these Reasons will prove satisfactory to your Honours for our continuing the Exchange at 5s. 6d.; how much such Encouragement is necessary, we leave the Honble. Court to judge, when they see their own Ships employed in bringing Supplies for their Foreign Competitors.—After this we shall think we have given a fair Trial; should we perceive these Terms are no Inducement, and that the Danes and Swedes are supplied in Preference to us, we shall not think ourselves justifiable in giving any other than a very low Exchange hereafter.

74. “ In settling this Business we wished to have had it in our Power to make some Distinction in the Rate of Exchange for the Produce of the Gold from Bombay, and Opium from Bengal, which came at the Risque of the Company, and Freight free, and such as was brought at an Expence to the Proprietors of a high Freight and Insurance; but as they were by Agreement to be at the Exchange of the Season, we did not think we had a Right to make any Alteration; we have nevertheless thought proper, in our Letter to the Governor and Council of Bombay, to request that such a Latitude might be stipulated if they should make any such Agreements another Year.

75. “ On making known our Exchange, the following Terms were declared :

	s. d.	
By the Danes	5 6	at Eight Months.
	5 7	Twelve Months.
By the Swedes	5 6	Eight Months.

76. “ The Advantage of these Terms over ours is so much less than what is usually expected to secure them the Preference, that we believe they have been very unsuccessful, as from the best Accounts that can be procured, we do not find that a single Dollar (except what was pre-engaged as above mentioned) has been paid into their Treasury, the Rest, being about Dollars 570,000, has been paid into the Honble. Company's; nor do we hear that any Engagements have been entered into with the Foreigners for the ensuing Season; and in general have the Pleasure to observe such Satisfaction, expressed at our Remittance, as seems to promise the full Attainment of the Object we had in View in our Resolution on that Subject.

77. “ As the Advance of the Season called our Attention to the loading the Ships, we took into Consideration the most effectual Means of turning our small Fleet to the greatest Advantage of the Honble. Company, and by the Value of their Cargoes compensate in some Measure for the Deficiency of the Number; no Method appeared to us so likely to answer that Purpose as procuring, if possible, an additional Quantity of Raw Silk on Credit if our Funds should prove insufficient to pay for it immediately. With this View we applied to Poan Khequa, who, conformably to Agreement, was to supply us with what Quantity we might want above the Contract; indeed it was not understood that he was to supply us on Credit, but as he has had for many Years the exclusive Benefit of this Contract, and been upon all Occasions much favoured by the Company, we thought these Considerations should induce him to take this Opportunity of expressing his Sense of the many Advantages their Confidence had procured him: He did not immediately comply with our Request; we were informed on the contrary, that so far from giving us an additional Quantity, he was doubtful whether it would be in his Power to ship off the Quantity already agreed for, as the Hoppo had again renewed the old Regulation, that no more than 100 Pecul should be exported on a Ship: This we knew to be in some Measure true, and is one Consequence of our unfortunate Disappointment in the Arrival of our Ships this and the preceding Season, which has occasioned such a Deficiency of the Duties as alarmed the Hoppo with the most dreadful Apprehensions of the Resentment of the Court, who, he is afraid, will attribute it to his Mismanagement; for which Reason he takes every Opportunity to harass and oppress the Merchants, and extort Money under various Pretences, that he may be enabled to collect such a Sum as shall equal the legal Duties remitted by his Predecessors, which is the more grievous, as many of the Merchants are, from the same Cause, debarred the Opportunity of procuring Money to supply his rapacious Demands. We have already mentioned that he has demanded 20,000 Tales for the Nonsuch,

“ (though

“ (though he was content last Year with a Fourth Part of that Sum for such Ships as departed without Cargoes); and we understand he has informed the Merchants, that if there should after all be any Deficiency they must make it up: In short, his severe and perplexing Regulations, his Extortion and Oppression, are such as were never before experienced; as Poan Khequa was not disposed to comply with the full Extent of his Demands for Leave to export more than 100 Peculs of Ship, which was his Aim in making that Regulation, we waited several Weeks without receiving any Answer, till the Ships being nearly loaded, and ready for the Silk, he was told we could wait no longer; that either he must deliver us the Silk immediately, or we must proceed to load the Ships with Tea, as the Time of the Year would admit no further Delay; upon this Intimation he exerted himself, and in a few Days informed us that, over and above the Contract, he would let us have 300 Pecul of the Three Moss Sort on the Terms we desired, which were to make an Addition of 5 Tale of Pecul for such Quantity as we could not pay for, an Agreement in our Opinion by no Means unfavourable, as the Difference is not quite Two of Cent.; he informed us, that his Compromise with the Hoppo cost him 5,000 Tales, and that he had also given Security for the Duties of the Nonsuch, and the Payment of the 20,000 Tales, without which the Grand Chop for that Ship could not have been procured; this we believe to be very true, having had frequent Occasion to experience the Inability of the other Merchants to lend us the least Assistance in such Cases.

78. “ The Nature of the Green Teas render them less proper for keeping than any other; we have thought proper to divide them equally on the Four Ships, reserving only One Fifth of the Singloes for the Queen, if she should be so fortunate as to arrive; we have also sent 68 Chests of superior Congo, and 1112 Chests of Souchon; preferring Bohea Tea on Account of the great Demand for that Article to the low priced Congoes.

79. “ The Amount of the Four Ships Cargoes will then be nearly as follows:

	Peculs.	Ta.		Ta.
“ Raw Silk —	1205	327402,500	China Ware —	9498,326
“ Bohea —	11487,76	150488,020	Nankeen Cloth —	8800
“ Souchon —	619,55	12696,600		
“ Congo —	443,57	9891,950		
“ Hyson —	1592,10	69954,780		
“ Twankay Singlo —	6832,04	156517,920		
			Tales —	745250,096

80. “ We shall have remaining of Old Teas, as follows:

	Ta.
“ Bohea 8592,83 Peculs at 14 —	120299,620
10247,34 — 12 —	122968,080
3949,24 — 11 —	43441,640
<u>22789,41</u>	<u>286709,340</u>
“ Singlo 900 Peculs, at 22 —	19800
“ Congo 2666,12 D — 15,5 —	41324,860
465 — 16 —	7440
812,79 — 16,5 —	13411,035
<u>3943,91</u>	<u>62175,895</u>

“ Also the Whole of the Bohea contracted for, amounting to 11500 Peculs, or Tales 147000. All the Teas have been carefully examined before they were shipped, and appear fresh and good; the Green Teas especially have been particularly attended to, and tried in the Water in the same Manner as when purchased.

81. “ As we have no Indent from St. Helena, we have ordered the same Quantity and Assortment of Stores as was sent last Year, which are divided on Five Ships; the Fifth Part being reserved for the Queen.

82. “ The Indent for Woollens which we have the Honour to transmit is, at the Request of the Merchants, the same as what has been sent Home the Two preceding Years, although, with Respect to Quantity, it has not yet been complied with, and it is submitted to the Honble. Court to make such Alterations as they may judge convenient; we cannot, however, omit this Opportunity of mentioning to your Honours, the great Relief so large a Quantity of Woollens would afford us in Times like the present, when our Funds are generally deficient, and Supplies so precarious, and not likely for some Time to be anywise adequate to our Necessities; for though we have Reason to expect the best Consequences from our Endeavours to promote that End as far as relates to the Exchange, we are confident that the Effect of every other Means that can be used, will not exceed what is barely requisite to secure us against Disappointment.

83. “ We

83. " We must likewise beg Leave to mention to your Honours the Necessity of a constant and uninterrupted Importation of that Article to keep up the Demand; what was brought last Year by the Lord North was very trifling, and, from the fatal Necessity of the Government of Madras to detain the Earl of Hertford, we have none this; the Merchants are not without Reason apprehensive that some other Manufacture may be substituted in Place of the Woollens, and that they may find a Difficulty hereafter in recovering those Channels through which they formerly disposed of it, should the Importation be longer suspended, which may very possibly happen; for although the Woollens of Three Seasons may probably be on their Way here, your Honours cannot but perceive how little the Arrival of Ships from India can be depended on in those Times; seeing, therefore, that an Object of such Consequence is concerned, we cannot but wish it were suitable to the Convenience of the Honble. Court, to dispatch to us at least One Ship by such a Route and Destination as may insure her Arrival in the Course of the Season.

84. " The Merchants request that Attention be paid to the Fineness of the Cloth, as that brought here by the Lord North was very inferior in that Respect to the Woollens of former Years.

85. " We have drawn upon your Honours Bills of Exchange to the Amount of

" Tales	—	—	—	—	411795,603
" And have granted Certificates for	—	—	—	—	286,560
					<hr/> 412082,163

86. " The Governor General and Council of Bengal acquainted us, that it was their Intention to transmit to us Lists of the Certificates granted on each Ship, distinguishing those granted on the Nonfuch from those on the Betsey; only One List however was sent us, but neither in that nor in the Certificates was any Distinction: to wait till we could have further Advices from Bengal, would not only have been a great Hardship and Inconvenience to those whose Certificates were arrived, but a Loss to the Company of Eight $\frac{7}{8}$ Cent. $\frac{7}{8}$ Annum, on the whole Subscription. We therefore thought it advisable, as the Subscription for the Nonfuch was not opened till some Months after the Betsey's, to admit those of a later Date, and rejected the earlier ones; for these we granted Bills to the Amount of Dollars 222,941, $\frac{1}{2}$. How many Certificates remain to be presented we are yet ignorant, as well as the Amount of the Subscription, so that we have not had it in our Power to make any proportionable Deduction agreeable to the Terms of the Advertisement, if it should exceed the Produce of the Cargo. We transmitted a List of the Certificates accepted to the Honble. the Governor General and Council, that they may be enabled to clear up any Mistakes our Want of Information have occasioned.

87. " We have also received the Sum of Dollars 27785,2941, for which we have granted Obligations, bearing an Interest of Eight $\frac{7}{8}$ Cent. $\frac{7}{8}$ Annum, being the Amount of several small Sums which came on Respondentia Terms in Portuguese Ships, concerning the Disposal of which the Agents of the several Proprietors have yet received no Directions.

88. " Your Honours will see, by the List of Ships inclosed, the prodigious Increase of Foreigners this Season, besides which, One Dane is expected, and Two Imperial Ships, which have been seen in the China Seas, but it is supposed have returned to Malacca. Mr. John Reid, who is Chief of this Concern, has established a Residence, seemingly upon a more permanent Footing than the last, and taken the late French Company's Factory for a Term of Years; the Tuscan Ship mentioned in the List is entirely unconnected with them, and is presumed to be a French Concern; the Ship is a French Frigate, and the real Captain and all the Officers of that Nation, though they have a nominal Captain who is an Italian. The Country Trade of Macao is increased, in consequence of the War, beyond all Example of former Times, there being not less than Twenty-five Vessels, of various Kinds, belonging to that Port.

89. " No Manilla Ships have ventured there these Two Years past, having obtained Leave from the Chinese to use the Port of Amoy. The Dutch have had no Ships since the Commencement of the War with Holland; nor had any arrived at Batavia, during that Period, when the last Account came away, from whence we learn that they were in the greatest Distress for Men; they had fitted out Five or Six of their Ships with Fifty Guns, the Crews of which were composed chiefly of Chinese and Malays, and about Forty or Fifty Europeans each, and were the Whole of their Force.

90. " Notwithstanding the Foreigners enjoy the Advantage of not having us their Competitors, Teas keep their Price; they are nearly as follows:

	Danes.			Swedes.			Portuguese.	
	Ta'.			Ta'.			Ta'.	
" Bohea	15	5 : 0	—	14	5 : 0		Bohea	14 : 0
" Congo	25	23 : 22	—	26	24 : 23		Twankay	25 : 0
" Souchon	45	0 : 0	—	36	38 : 44		Singlo	23 : 0
" Hyson	50	52 : 44	—	50	0 : 0		Congo	23 : 0
" Singlo	25	23 : 0	—	0	0 : 0		Souchon	40 : 0
							Hyson	52 : 0

91. " The Quantity of Congo in the Place is very small, (not above 30,000 Chests), which for some Years past has been 80,000; this is owing to the Disappointments of the Country Merchants last Year from the small Number of Ships, by which some of them have been very great Sufferers. Of Hylon there is a great Quantity, though many of old well known Chops have not been made in consequence of the Intimation we gave, that none would be wanted by us;—indeed, what remained of last Year has considerably added to the Stock at Market.

92. " On the 17th instant we received a Letter from the Agent for molt of the Gold brought from Bombay on the Four Ships, as mentioned above, acquainting us, that from the present very low Prices of Gold, he was not able to dispose of it, and pay in the Produce according to Agreement, without great Loss to the Proprietors, requesting therefore that we would receive it into the Treasury, and grant Bills for the Amount at the present Market Price; that if it should not be sold before a certain Day to be agreed on, we might dispose of it for what we could get, and his Agent should make up the Deficiency, if the Produce should not equal the Bills drawn.

93. " The Payment of this Money has already been deterred beyond all reasonable Time; but as we were convinced that his Complaint of the low Price of Gold, from whatever Cause, was not ill founded, and the Conditions of his Request very reasonable, we consented to agree to it, seeing we had no other Alternative but giving up our Pretensions to it altogether; we accordingly fixed the 20th January for the Day, after which it is to be at our Disposal, if not sold before, as the Chinese new Year, beginning the 2d February, the Money will be wanted to pay the Merchants.

94. " Being last Year deprived of our Surgeon Mr. Ja' Dewar, we prevailed on Mr. John Morgan, Surgeon of the Lord North, to remain here in that Capacity, in Hopes the Honourable Court might be pleased to continue him in his Employment. Those Expectations have been frustrated by the Appointment of Mr. John Duncan; but, on Account of that Gentleman's Non-arrival, he has consented to remain another Year, though under the Certainty of being superseded. The Salary being very small, and the Shortness of the Time not allowing him to profit by his Situation, we earnestly recommend him for such Recompence as your Honours may think he deserves; as he cannot be influenced to remain here this Year by any other Motive than the Consideration of the fatal Consequences that may attend our being left without any medical Assistance.

95. " The Ships Loco, Asia, Osterley, and Essex, are nearly loaded, and, we hope, may be ready to sail by the 2d January at farthest: We wished to have dispatched them much earlier, at least before any of the foreign Ships, but the necessary Repairs after so long a Voyage, and salting their Provisions, which the hot Weather for some Time prevented, delayed them longer than we expected; to which may be added, our waiting for the Raw Silk: It is now all received, and we have the Satisfaction to think a very fine Parcel.

96. " Mr. David Lance, who has for some Time laboured under a Complaint in his Lungs, having, by the Advice of the Surgeon, requested Permission to return to England for the Benefit of his Health, we have consented to his Request. We had taken his Passage on Board a Danish Ship, and as we judged it would be agreeable to your Honours to receive a full Account of our Proceedings by a Conveyance which will probably arrive so much earlier than the Honourable Company's Ships. We have charged him with the Care of this Packet; and have only to wish that our Conduct may meet with your Honours Approbation, which we shall at all Times study to deserve.

" We have the Honor to be, with the greatest Respect,

" Honourable Sirs,

" Your most faithful humble Servants,

" Canton,
December the 28, 1782.

" P. S.

" We did intend to have given a Diary in Charge to Mr. Lance; but considering that the above Letter conveys to your Honours a most ample Detail of your Affairs entrusted to us, and reflecting that should any Accident happen to Mr. Lance, such a Packet as a Book must unavoidably make, might not be safe, we thought proper to decline sending one.

" Ja' Bradshaw,
" Geo' Rogers,
" Abr^m Roebuck,
" Henry Brown,
" John Harrison,
" George Cuming,
" Charles Edw^d Pigou,
" Henry Lane,
" David Lane,
" Thomas Freeman,
" Thomas Kuyck Van Mierof".) §

The Managers for the Commons stated, that they should now have proceeded to call for the Accounts to prove the Loss sustained by the Company in consequence of this Transaction, but that it would be clearer to prove the Loss upon each of the different Contracts together at the End of the Evidence on this Article; they should therefore next proceed to prove the Orders of the Court of Directors in the Year 1770, upon the Subject of the Bullock Contracts.

Read,

Read, from Book 173, already delivered in, the following Extract of a Letter from the Court of Directors to the President and Council at Fort William in Bengal, dated 23d March 1770.

[134. "It is our express Orders, and we hereby positively direct, that you do not fail every Year to advertise for, and receive such Proposals as may be offered, for supplying the Troops with Provisions, and for furnishing Draught and Carriage Bullocks, to be employed with our Army; and that you do in all Cases accept those Proposals which may appear the most reasonable in point of Charge. And you are also to take Care, that in all your Advertisements, a sufficient Time be allowed before the Expiration of the Contract which may then subsist, or the Time which you may limit for receiving Proposals, for such Persons who may become Candidates for the Contractorship to prepare their Proposals for such Contract."]

§ (135. "And in order to prevent Abuses in future, we direct, that the Commanding Officer of our Troops at your Presidency, do require from every subordinate Officer in the several Departments, every 14 Days or oftener, Report of the Number, Size, and Condition of the Draught and Carriage Bullocks, furnished for and employed with the Army; and that he do report the same to the President and Council monthly, or oftener as Occasion may require. And if the Bullocks should at any Time be deficient, he shall fully explain to what Cause such Deficiencies may be justly attributed, whether to want of Size, Neglect of Feeding, Mismanagement, or other Abuse, or to unavoidable Casualties or other Circumstances, such as Length of Time in Service, the Nature of such Service, or otherwise; and he is also to inform himself, and signify to our President and Council at the same Time, in all Cases, according to the best of his Judgement, how Defects of every Kind relative to Bullocks in the Service may be remedied.")

(Signed at the End of the Letter)

" Ben. Booth,	G. Colebrook,
George Cuming,	P. Cust,
Jn ^o Woodhouse,	H ^r Crabb Boulton,
L. Sullivan,	J. Purling,
W. James,	Fred ^k Pigou,
Henry Fletcher,	John Harrilton,
Geo. Dempster,	R ^d Bosanquet,
Cha ^s Boddam,	Daniel Wier,
W. G. Freeman,	William Stuell,
Rob ^t Gregory,	Peter Du Cane junr.

Read, the following Extract from Mr. Hastings's Defence at the Bar of the House of Commons, already delivered in.

[“In the Year 1777, when the Board gave the Bullock Contract to Mr. E. Johnson, it is a Fact of publick Notoriety, that by having made that Contract Annual, and by granting it to the lowest Bidder, it was taken lower, by 50 per Cent. than it was possible for any Man to keep the Bullocks fit for Service, provided the Contract had been fully executed, and the Number contracted for kept up. I appeal to the Records of those Days to prove the Complaints of the Commanding Officers of the weak State of their Carriage Cattle; I appeal to our Revenue Consultations to certify the Amount of the Deductions that were made from the Revenues for Bullocks violently seized, whenever any Detachment of our Army marched through any Part of Bengal or Bahar. To remedy these Inconveniences, and to fix the Contract upon such fair and equitable Terms as should insure a strict Performance of the Publick Service, and afford to the Contractor the Prospect of a reasonable Profit for his Trouble and Risk, I joined in giving the Bullock Contract to Mr. Johnson in 1777.”] § (“and the Contract for Elephants to Mr. Templar in the Year 1779. I heartily concurred with Sir Eyre Coote in granting the Provision and Bullock Contract to Mr. R. Johnson for Five Years, thereby performing, in my humble Opinion, a most essential and important Service to the East-India Company, my respected Employers. From 1779 to 1783; we were in a State of War with European and Country Powers; we had Two considerable Detachments of our Army upon Foreign Service, the one upon the Coast of Coromandel, the other in Guzerat, and our Army in Bengal was fit for immediate Service: I can therefore confidently assert, that in every Point of View the Bullock Contract was highly advantageous to the Company; and so fully am I impressed with the Necessity of granting the Contract, or the Agency, for the Supply of Draught and Carriage Bullocks, upon fair and liberal Terms at all Times, that I took the Liberty to give these Sentiments to the Court of Directors since my Return to England, when they did me the Honour to ask my Opinion of certain Military Arrangements which they had at that Time under Consideration: And it will not be deemed irregular or indecent in me, I trust, to quote to this Honourable House the Opinion of a Gentleman (Sir George Wombwell) on the Subject of Contracts, who, at the Time he gave it, was a Member of this House, and Chairman of the East India Company. Sir George said, ‘That he believed putting up Contracts to publick Sale would be prejudicial to the Publick Service. Men,’ he said,

" said, ' inadequate to the Performance of the Contracts, would at all Times bid lower than Men of Ability and Reputation; and they would do much more Injury by serving the Public badly, than the Difference of Expence: He had seen Instances of it in the Contracts of the East India Company, and those of a fatal Nature.' I quote these Sentiments, delivered in this House by Sir George Wombwell on the 4th of May 1778, as a strong Confirmation of my own Opinion; and I affirm, that if Contracts had been given away in Bengal for short Periods, and to the lowest Bidder, more particularly Army Contracts, they would have fallen invariably into the Hands of irresponsible Men, and we might have had a very different Termination of the late arduous Struggle in India. We advertised, in the Year 1777, for Proposals for keeping in Repair the Cantonments of Burrampoor and Dinapore by Contract; an Ensign in the Service, a Mr. Foster, gave in the lowest Proposals; but the Board were sensible of the Impossibility of performing the Service for the Sum for which he was ready to undertake it, and we agreed to nominate Mr. Vanderhayden to perform the Duty by Agency; yet this was a direct Breach of the Company's Orders, and by the Reasoning in the Charge, we were left in this Case without an Option. I shall conclude my Observations upon the Contract for Draught and Carriage Bullocks with the following Quotation from the Letter of the Court of Directors to Bengal, of the 11th April 1781.

" General Coote remarks, that being in a State of actual War, it was unnecessary to set forth the indispensable Necessity of having the Draught and Carriage Bullocks put in the best Train possible, because the Success of every Operation in War depends so very particularly on the bad or good Condition of the Artillery Train; and in this Opinion we concur with the General.

" Upon the most impartial Consideration of all the Materials before us, we candidly allow your System for the Provision of Cattle for the Service of the Trains to have been excellent, provided you had advertised for Proposals, and thereby ascertained the lowest Terms procurable, with good Security for Performance of the Contract; but the Offer, without advertising for Proposals, appears to us very improper.

" We are nevertheless of Opinion, that provided the Terms were reasonable, it might not, for the most obvious Reasons, be for the Good of the Service in Time of War, to renew the Bullock Contract every Year." (a)

Read, from Book 441, already delivered in, the following Extract of a Consultation, dated 8th January 1778, beginning at Page 19 of the same Book.

Thursday.

" Bengal Board of Inspection.

" Fort William, the 8th January 1778.

" At a Board of Inspection; Present,
The Honourable Warren Hastings Esquire, Governor General, President;
Richard Barwell,
Philip Francis,
and
Edward Wheler, } Esquires.

" The Contracts of Mr. Johnson for victualling the Troops, and for providing and feeding Draft and Carriage Bullocks and Camels, having been drawn up by the Company's Attorney, and certified by the Secretary to be conformable to the Resolutions of the Board, the same were executed on the 29th ultimo, together with the Penalty Bond by Mr. Johnson and his Securities.

Orders thereon.

" Ordered, That a Copy of these Contracts be entered after the Proceedings, and that Copies of them be also sent to the Commanding Officers of the Brigades, and to the Commissary General, and Quarter Master General."

Read, also, the following Extract from the same Book and same Consultation, beginning at Page 82 of the same.

Contract of Mr. Johnson for providing and feeding Draft and Carriage Bullocks and Camels.

" Articles of Agreement indented, had, made, concluded, and fully agreed upon, this Twenty-sixth Day of December, in the Year of our Lord Christ One thousand seven hundred and seventy-seven, between the United Company of Merchants of England trading to the East Indies, of the one Part; and Ernest Alexander Johnson of Calcutta, in the Province of Bengal, Merchant, of the other Part, in Manner and Form following; that is to say, Whereas the said Ernest Alexander Johnson hath made Proposals in Writing to the Governor General and Council of the Presidency of Fort William in Bengal, on the Part and Behalf of the said United Company, to furnish or supply the Army and the Troops appertaining or belonging to the said United Company on the Bengal Establishment, with such a Number of Draught and Carriage Bullocks, and with such a Number of Camels as shall be wanted, or thought necessary to be employed in the Field on Account of such Army or Troops, for the Space of Three Years, to be computed from the

(a) Vide Appendix, N° CLXXXVIII, & supra, P. 1327-8.

First Day of January now next ensuing; and for the feeding and keeping the same in proper and fit Order to perform their Labour, as well within the Provinces of Bengal, Bahar, and Orissa, as without the same Provinces, in any other Parts and Places wherever such Army shall happen to be, on being paid by the said Governor General and Council, on the Part of the said United Company, their Successors and Assigns, the several Sums of Money for the feeding and keeping the same Bullocks and Camels as herein-after is mentioned and agreed to be paid him by the said United Company: Now these Presents witness, That the said Ernest Alexander Johnson, for and in Consideration of the several Sums of Money so agreed to be paid him as herein-after is mentioned, and of other the Covenants and Agreements herein-after contained, on the Part and Behalf of the said United Company to be observed, performed, fulfilled, and kept, doth for himself, his Heirs, Executors, and Administrators, covenant, promise, and agree, to and with the said United Company, their Successors and Assigns, in Manner and Form following; that is to say, That he the said Ernest Alexander Johnson, his Executors and Administrators, shall and will, at his and their own proper Costs and Charges, as soon as conveniently may be from the Day of the Date of these Presents, well and truly find and provide a sufficient Number of good and proper Draught and Carriage Bullocks for the Use of the Army of the said United Company, and every Part thereof, as well within the Provinces of Bengal, Bahar, and Orissa, as without the same Provinces, wherever such Army or any Part thereof shall happen to be; and having bought or procured the same Bullocks, shall and will, at his own proper Costs and Charges, feed, maintain, and keep the same, for and during the Space or Term of Three Years, from the First Day of January now next ensuing the Date of these Presents, until the First Day of January which will be in the Year of Christ One thousand seven hundred and eighty-one, in good Health, and fit for the Use and Service of the Army of the said United Company. Provided always, and it is hereby agreed, by and between the Parties to these Presents, That it shall and may be lawful for the said United Company, or the Governor General and Council of the Presidency aforesaid for the Time being, or the Commanding Officer of the different Brigades, or of any Detachment of such Brigades for the Time being, during the said Term of Three Years, to discharge any such Part of the Number of the said Bullocks to be provided as herein-before is mentioned, which the said United Company, or the said Governor General and Council, or such Officers or Officer as aforesaid, shall think superfluous or unnecessary for the Use of the said Army, upon giving One Month's Notice in Writing of such Intention to the said Ernest Alexander Johnson, or to any Agent to be appointed by him to attend such Brigade or Detachment, in pursuance of the Covenant herein-after for that Purpose contained. And further, That in case, at any Time hereafter during the said Space of Three Years, an additional Number of Draught and Carriage Bullocks shall happen to be wanted for the Use and Service of the said Army, or of any Part of the Army of the said United Company, which may be quartered or encamped in any Part of the Country where no good or proper Bullocks are to be had or gotten; and the said Ernest Alexander Johnson shall be obliged to send to a great Distance to purchase and procure such Cattle as are fit for the Service of the said Army, in such Case it shall be lawful for the said Ernest Alexander Johnson, his Executors and Administrators, to draw Pay for such Bullocks, at the Rates herein-after mentioned, from the Day on which any such Bullock shall arrive at the Station of any of the Brigades, and shall have been mustered and surveyed by the Commanding Officer and Commissary of any of the Brigades belonging to such Army: And the said Ernest Alexander Johnson, for himself, his Heirs, Executors, and Administrators, doth further covenant and agree to and with the said United Company, their Successors and Assigns, that every Carriage Bullock to be provided by him for the Use of the said Army, * pursuance of his Covenant herein-before for that Purpose contained, shall be in sufficient Health, and proper Age and Strength to carry on his Back One hundred and twenty Pounds Weight; and that the Draught Bullocks to be provided as aforesaid, shall be of such Age and Strength, that Eight of them shall be able to draw and accompany the said Army with a Six Pounder Gun, Ten of them with a Twelve Brass Pounder, Twenty-four of them with an Iron Eighteen Pounder poizing from Forty to Forty-four Hundred Weight, and Ten of them with a Howitzer Tumbril. Provided also, and it is hereby further agreed, by and between the said Parties, That before the said Ernest Alexander Johnson shall be entitled to receive the Pay for such Bullocks, to be provided as herein-before mentioned, that all such Bullocks shall first be approved on a Muster to be had or made by the Commander of the Troops for the Time being, at the respective Stations where such Bullocks shall first arrive, the Commandant of Artillery and Commissary of Musters, and that the said United Company, or the said Governor General and Council, on the Part and Behalf of the said Company, on any Report to be made to them from such Person or Persons as aforesaid, shall be at Liberty to dismiss, and have full Power, and are hereby declared in such Case to have full Power, to dismiss, from Time to Time, monthly, all and every such Bullock or Bullocks as may be reported unfit for the Service or Services for which such Bullock or Bullocks were or was designed; and that thereupon the said Ernest Alexander Johnson shall, as soon as conveniently may be after such Dismissal, replace all and every such dismissed Bullocks with others fit, good, and proper for the Use and Service of the Army of the said United Company. And these Presents further witness, That the said Ernest Alexander Johnson, for and in Consideration of the Payments herein-after agreed to be made him by the said United Company, doth covenant, promise, and agree, to and with the

* Sic in Orig.

said United Company, their Successors and Assigns, that he the said Ernest Alexander Johnson, his Executors and Administrators, shall and will well and truly find and provide for all the Camels kept or to be kept by the said United Company, in the Provinces of Bengal, Bahar, and Orissa, or which is otherwise called the Bengal Establishment, during the said Space of Three Years from the said First Day of January now next ensuing, good, sufficient, and proper Food, and proper Servants to attend and take Care of such Camels, and every of them, so that no further Expence shall arise to the said United Company, on Account of the Keep of such Camels, than what is agreed by the United Company to be paid to him the said Ernest Alexander Johnson, as herein-after is mentioned: And also, that he the said Ernest Alexander Johnson, his Executors and Administrators, shall and will well and truly sustain, bear, and pay all Losses, Damages, and Expences which may happen during the Continuance of these Presents, as well to the said Bullocks as the said Camels respectively, whether the same shall arise from the Attack of Enemies, or from the Death of any or either of the said Bullocks or Camels, or from any other Cause or Consideration whatsoever (save and except as herein-after is mentioned), so that the said United Company shall suffer or sustain no other Charges or Expence whatever in the Articles of Camels and Bullocks for the Use of their Army aforesaid, other than the several Sums of Money herein-after agreed to be paid by them to the said Ernest Alexander Johnson, his Executors and Administrators, on Account of the same. And for the Purpose of properly fulfilling this Agreement, the said Ernest Alexander Johnson doth hereby promise and agree, to and with the said United Company, at his own Costs and Charges, at all Times during the Continuance of these Presents, to keep a capable and sufficient Deputy, with every Detachment of the Troops belonging to the said United Company, to answer the Demands and obey the Directions and Orders of the Commanding Officer of each Detachment respectively, and to perform the Conditions and Covenants herein-before contained, on the Part and Behalf of the said Ernest Alexander Johnson, which Deputies are respectively to be first approved by the Governor General for the Time being of the said Presidency; and, on entering into the Service and Duty aforesaid, are to be obliged to give such reasonable Security as shall be demanded of them by the said Governor General, that they the said Deputies, nor either of them, will engage in any Trade or Business whatsoever, other than that of the said

* sic in Orig. Ernest Alexander Johnson, respecting the * the Matters herein-before contained. And the said United Company of Merchants of England trading to the East Indies, for the Considerations aforesaid, do hereby for themselves, their Successors and Assigns, covenant, promise, and agree, to and with the said Ernest Alexander Johnson, his Executors and Administrators, that they the said United Company, their Successors and Assigns, shall and will well and truly pay, or cause to be paid to the said Ernest Alexander Johnson, his Executors and Administrators, during the said Space of Three Years, commencing and finishing at such Times as are herein-before mentioned, the several Sums of Money following; that is to say, For every Draught Bullock employed on actual Service, within the Provinces of Bengal, Bahar, and Orissa, the Sum of Sonaut Rupees Three and Seven Annas per Menssem; and for every Carriage Bullock the Sum of Sonaut Rupees Three and Three Annas per Menssem; and for every Draught Bullock, either employed or unemployed, and detained for the Use of the said United Company, out of the said Provinces, the Sum of Sonaut Rupees Five per Menssem for every Draught Bullock, and Sonaut Rupees Three and Ten Annas per Menssem for every Carriage Bullock; and also for such Bullocks as shall remain within the said Three Provinces, and unemployed, the Sum of Sonaut Rupees Two, Nine Annas and Six Pice per Menssem. And further, that they the said United Company, their Successors and Assigns, shall and will well and truly pay, or cause to be paid, to the said Ernest Alexander Johnson, his Executors or Administrators, for his Care and Management, and for the feeding and keeping, and the providing with Servants, as herein-before is mentioned, the Camels employed, or to be employed, in the Service of the Army of the said United Company, during such Time as aforesaid, the several Sums of Money following; that is to say, For all and every the Camel and Camels which shall be the Property of, and belonging to, the said United Company, either within or without the Provinces, the Sum of Sonaut Rupees Sixteen per Menssem; and for each and every such Camel and Camels which shall be the Property of, and belonging to, him the said Ernest Alexander Johnson, his Executors and Administrators, and employed by the said United Company, either within or without the Provinces as aforesaid, the Sum of Sonaut Rupees Thirty per Menssem: And further, they the said United Company, their Successors or Assigns, shall and will well and truly pay, or cause to be paid, to the said Ernest Alexander Johnson, his Executors and Administrators, the several Sums of Money so to become due as herein-before is mentioned, within One Month at farthest after his or their Bill and Bills shall be presented for the same, duly attested and certified by the Commissary General for the Time being; and that for the greater Convenience of the said Ernest Alexander Johnson, such Bills shall be paid or discharged either at the Place or Places respectively where the same shall become due, or at the Presidency of Fort William in Bengal, at the Option of the said Ernest Alexander Johnson: And further, that they the said United Company shall and will, during the Continuance of the said Term of Three Years, from Time to Time as Occasion shall require, well and truly furnish and provide the said Ernest Alexander Johnson with all and every sufficient Escort and Escorts as may be necessary for the conveying the said Bullocks and Camels to and from the said Army, or any Detachment thereof, as Occasion may require; and when at or with such Camp or Detach-

Detachment, shall and will find and provide such Safeguards to take Care of them, as such Army and Detachment will admit of: And it is further agreed, by and between the Parties to these Presents, that it at any Time during the said Space of Three Years, the Urgency of Affairs should require a further or greater Number of Cattle to be provided, for the immediate Service of any Brigade or Detachment of the said Army, the said Ernest Alexander Johnson doth hereby promise and agree to provide the same, within the Space of One Month after Notice shall be given, in Writing, by the Commanding Officer of such Brigade or Detachment so wanting the same, either to him, or any or either of his Agents or Servants who shall reside with the same Brigade or Detachment for that Purpose; and if in Case and * such Emergency, the usual Price of such Bullocks should be thereby enhanced, and the said Ernest Alexander Johnson, his Executors or Administrators, shall be obliged to pay to the Proprietors of such Cattle, more than the Sum of Sonaut Rupees Twelve and Eight Annas for each and every Draught Bullock so purchased, and for each and every Carriage Bullock more than the Sum of Sonaut Rupees Eight; that then, and in that Case, when the Commanding Officer of such Brigade or Detachment shall have certified the Number so purchased, and the extra Price so paid for the same, the said United Company, for themselves, their Successors and Assigns, do hereby promise and agree to pay the said Ernest Alexander Johnson, his Executors and Administrators, all such Surplus Money which he or they shall be so obliged to pay for the same, over and above the specified Sums above-mentioned, and that in the same Manner, and at the same Times and Places as are above stipulated for the Payment of the other Sums of Money, agreed to be paid for the Feeding the same as aforesaid. Provided always, and it is hereby declared to be the true Intent and Meaning of the Parties to these Presents, that whenever the Roads shall be extraordinary bad, or the Bullocks shall be fatigued with forced Marches, and thereby disabled from drawing or carrying the Weight herein-before mentioned, or the Camels shall happen to die from the same Causes, or either of them, and the same shall be ascertained to the Satisfaction of, and certified by, the Commanding Officer of any such Detachment, where the same Accident shall happen, that so such Accident shall be deemed any Breach of any or either of the Covenants herein-before contained, on the Part and Behalf of the said Ernest Alexander Johnson, his Executors or Administrators. And further, that the said Ernest Alexander Johnson shall and will, at the Expiration of the said Term of Three Years, well and truly deliver over to any succeeding Contractor, or to any other Person or Persons the said United Company, or the Governor General and Council for the Time being, shall appoint for the Purpose of receiving the same, all and every the Camel and Camels which shall be the Property of or belonging to the said United Company, and which at such Time as aforesaid, shall happen to be in the Custody or Power of him the said Ernest Alexander Johnson, his Executors or Administrators. In Witness whereof the Honble. the Governor General and Council have hereunto set their Hands, and caused the Common Seal of the said United Company to be affixed; and the said Ernest Alexander Johnson hath also set his Hand and Seal, the Day and Year first above-written.

(Signed)

" Sealed and delivered (where no
Stamps are in Use, or to be
had) in Presence of

" Signed { Geo. Hodgson,
Isaac Baugh.

" Warren Hastings,
" Rich^d Barwell,
" P. Francis.

(L. S.)

" E. Alexander Johnson."

(L. S.)

(No Signature at the End of the Consultation.)

Read, from Book 430, already delivered in, the following Extract of a Consultation of the 15th July 1779, beginning at Page 46 of the same Book.

" Mil^y Dep^t, Fort William, 15th July 1779.

" Proceedings of the Governor General and Council, dated as above.

" At a Consultation; Present,

• The Honourable Warren Hastings Esquire, Governor General;
Richard Barwell,
Philip Francis,
Edw^d Wheler, } Esquires.

Not present—Sir Eyre Coote.

" The Remarks offered to the Board by General Stibbert, in his Letter dated the 22d August 1778, on the present State of the Draft and Carriage Bullock Trains, required their immediate Attention. As we are now in a State of War, I deem it unnecessary to set forth the indispensable Necessity of having these Trains put in the best Order possible, as the Success of every Operation in War depends so * imminently on the good or bad Condition of the Artillery Trains. As therefore Service may be expected, and if the well ordering of this Train can be only effected, on the

Sir Eyre
Coote's Mi-
nute of the
27th July con-
tinued.

* Sic in Orig.

the increased Charges specified in the annexed Plan, it must be paid. For the Draft of these Regulations, I am indebted to the Governor General, whose Attention this Business had engaged before my Arrival; and I further learn, that it carries with it the joint Recommendation of the Commanding Officer of Artillery and General Stibbert: Some few Alterations I have also made, as came within the Sphere of my own Observation. Should the Board deem any further Alteration necessary, I shall only recommend the final Adjustment being made as speedily as possible." (a)

(No Signature at the End, either of the Minute or of the Consultation.)

Read, the following Extract of Sir Eyre Coote's Minute from a Consultation of the 3d August 1779, beginning at Page 143 of the same Book.

" Mil' Dep', Fort William, 3d August 1779.

" Proceedings of the Governor General and Council."

" At a Consultation; Present,

The Honble. Warren Hastings Esquire, Governor General;
Richard Barwell,
Philip Francis,
Edward Wheler, } Esquires.
Sir Eyre Coote,

" ABSTRACT of the Artillery, Draught and Carriage Train for a Brigade in the Field.

		Field Pieces.							Draught Bullocks.							
		Guns and Carriages.	Spare Carriages.	Tumbrils.	Spare Tumbrils.	Carts.	Waggons.	For each spare Gun and Carriage.	For each spare Carriage.	For each Tumbril.	For each spare Tumbril.	For each Cart.	For each Waggon.	One spare Bullock to every Six.	Total Draught Bullocks.	Total Carriage Bullocks.
Artillery Park.	12 Pounders	—	—	2	1	4	1	—	—	10	8	10	8	—	—	76
	6 Pounders	—	—	8	2	8	2	—	—	8	6	10	6	—	—	168
	5½ Inch Howitzer	—	—	2	1	2	1	—	—	6	6	10	8	—	—	46
	Treasure	—	—	—	—	1	—	—	—	—	—	—	—	—	—	10
	For the Artificers	—	—	—	—	—	2	—	—	—	—	10	—	—	—	20
	For the Genl	—	—	—	—	—	1	—	—	—	—	—	16	—	—	16
Sepoy Guns, 6 Pounders		—	—	22	6	11	3	—	—	8	6	10	6	—	—	340
One spare Bullock to every Six for the Carriage of Ammunition		—	—	—	—	—	—	—	—	—	—	—	—	113	113	—
Total		—	—	—	—	—	—	—	—	—	—	—	—	—	789	569

Draught by
Sir Eyre
Coote.

" The Service performed by the Corps of Troops, now termed the Temporary Brigade, to be executed in future by a Detachment from the Brigade next for Frontier Duty, to be composed as under; viz.

- 1 Regiment of Cavalry;
- 6 Battalions of Sepoys;
- 1 Company of Artillery, and Battalion of Lascars attached to it, under the Command of One Lieutenant Colonel, and One Major of Infantry, and One Major of Cavalry, and with the Train of Artillery hereafter specified:
- 1 Regiment of Cavalry from the Brigade on the Frontier Station;
- 1 Regiment of Cavalry from the Brigade at the Presidency, with their Field Officers.

(a) Vide Appendix, N° CXC.

" This

(1347)

“ The Detachment, viz. Artillery and Infantry, to be relieved at the Expiration of * Years, and the complete Brigade, for Frontier, also every * Years, when the Service will permit. • Sic in Orig. • Sic in Orig.

“ On the 1st Occasion, the Relief of the Frontier and Temporary Brigades to be effected in Manner following; viz.

“ The First Brigade to be relieved by the Second Brigade from Berhampore.

“ The Third Brigade at the Presidency, to be relieved by the First from the Frontier Station; the Third Brigade to occupy the Quarters at Bethampore, detaching One of the Two Companies of Artillery and Battalions of Lascars, by which it will be joined on its leaving the Presidency from the Regiment of Artillery, with Three Battalions of Sepoys, under the Command of a Lieutenant Colonel and a Major, and to proceed to the Post of Futty Gurr, for the Duty of the actual Temporary Brigade.

“ On the Relief of the First Brigade, Three of the Nine Battalions of the Corps now termed the Temporary Brigade, with the Company of European Artillery attached to it, to join the First Brigade, to which it will be annexed, and proceed to the Presidency.

“ Of the remaining Six Battalions of this last-mentioned Corps, Three to join the Second Brigade, to which they will be annexed on its Arrival on the Frontier Station, and the remaining Three to continue to occupy the Posts where they may be stationed, until the Three Battalions from the Third Brigade arrive at Futty Gurr, to which Corps of Sepoys, viz. The Third Brigade, these Three Battalions will be annexed.” (a)

(No Signature at the End, either of the Minute or Consultation.)

Read, the following Extract of a Consultation of the 9th August 1779, beginning at Page 271 of the same Book.

[“ Mil^y Dep^t, Fort William, 9th August 1779.

“ Proceedings of the Governor General and Council.

“ At a Consultation; Present,

The Honourable Warren Hastings Esquire, Governor General;

Richard Barwell,

Philip Francis,

Edward Wheler,

} Esquires.

Not present—Sir Eyre Coote.

“ On the Commander in Chief's Minute, under the Head of Draught and Carriage Contract.

“ The Governor General proposes, that the Plan recommended by the Commander in Chief for a new Contract for the Draught and Cattle, be approved; and that an Offer be made to the present Contractor, to contract with him on the Terms prescribed therein, instead of the Contract now in Force.]

S “ Mr. Francis.—I am of opinion, that the Service to be performed should be advertised in the Terms of the Minute, and Proposals received for executing the same, the Preference to be given to the lowest Bidder, for One Year only. Government should always reserve to themselves the Power of renewing these Contracts, and obtaining better Terms for the Company, at short Periods, such as One Year. If in that Period the Service be well executed, the Contract may be continued to the same Person, and this will be an Incitement to him to do his Duty. As to giving such a Contract for Five Years, I never will consent to it, nor will I sign it. At this Rate, the Hands of the succeeding Government will be tied up from retrenching any Publick Expence, or making any one Alteration, however necessary, for the Service or beneficial to Government.

“ Mr. Wheler.—I agree with Mr. Francis in every Particular; and am convinced, from my own Experience, that it can neither be safe for the Contractor, or prudent for Government, to enter into Engagements for victualling the Army, or supplying Stores to a Garrison, for a Period exceeding the Time mentioned in Mr. Francis's Minute. I beg Leave to be understood by this, I do not mean that the Contractor should of Necessity be changed annually; but that their Engagement with Government should be renewed annually, by which the Contractor, on the one Hand, may be relieved from an improvident Bargain, and the Company, on the other, from an extravagant one.

“ The Contractor has at all Times, from being conversant in his Business, from his Stock in Hand, from a Knowledge of his own Profit and Loss, and from the Command which, by a constant Consumption of the Articles of his Contract, he acquires of the Markets, the Power of serving Government upon much better Terms than any Competitor, while the Company, by encouraging Competitors, lower the Demands of the Contractor within such Limits as are advantageous to the former, while they afford sufficient Encouragement to the latter.

(a) Vide Appendix, N^o CXCI.

“ Mr. Barwell.—I agree to the Proposition. I don't think it necessary to enter into a Discussion at this present Time, convinced, as I am, that it would answer no other Purpose than to prolong the Debate; and that every Person who is at the Trouble of considering the Subject, and reasoning upon it, will be satisfied that the Service proposed cannot possibly be executed on a Contract of One Year or Two.

“ Governor General.—I agree to the Motion.

“ Resolved, That the Plan recommended by the Commander in Chief for a new Contract for the Draught and Carriage Cattle, be approved; and that an Offer be made to the present Contractor, to contract with him on the Terms prescribed therein, instead of the Contract now in Force.

* See Proceedings 15 July, P. 47.

Minute by Sir Eyre Coote, dated 2d Inst.

“ Read, Minute by the Commander in Chief on the * Donation to the Troops which served in the Rohillah War. Also his Second Minute on the same Subject, in Date the 2d August: viz.

“ I beg Leave to draw the Attention of the Board to the present Situation of that Part of the Army which is entitled to the Donation of the Vizier Sujah ul Dowlah, in the Year 1774.

“ On the 2d January 1775, it was resolved by the Board, to deposit the Amount, when collected, in the Publick Treasury, until such Time as the Resolution of the Court of Directors might be received.

“ On the 27th of October 1777, this favourable Resolution and Promise to the Army was rescinded, because the Vizier's Debt to the Company had then risen to Fifty Lacks.

“ Five different Representations have been made by this Board to the Court of Directors upon this Claim, which has been now pending Five Years, without any Answer whatever, but One Promise of above Four Years Date, that they would shortly communicate their Sentiments to us upon it.

“ Seeing the little Encouragement we have to hope for the Receival of any Directions from them upon this Subject, and being informed that the Cause is now removed which induced the Board, on the 27th of October 1777, to rescind the first favourable Resolution of the 2d January 1775, as the Vizier's Debt to the Company is almost totally liquidated, I think it incumbent upon us to go as far as may lay in our Power, to facilitate the Recovery of so equitable a Claim, which, indeed, I think it might prove fatal to discourage, particularly as the Army possesses the Promise of this Board in their Favour.

“ Nor is this Claim to be viewed simply in the Light of a Gift, but a Sum agreed to be given in lieu of, and to save a much larger, for it is well known, that the Plunder of Peelabet, Barrelli, Ouhla, and Bissouly, which was withheld in Consideration of this Sum, would much have exceeded it.

“ I therefore propose, that in Furtherance of the Resolution of the 2d January 1775, and the Promise then made to the Army, the Vizier's Bonds for 10,50,000 be immediately lent to our Resident at the Vizier's Court, with Orders to endeavour, as soon as possible, to obtain separate Tunkaws for the Amount of this Sum; and that he collect it with all proper Dispatch, and remit the Amount to the Presidency, where it may then (as I think it ought) be distributed to the Army; but if that should not be agreed to, it may in that Case rest until the final Resolution of the Court of Directors may be received.

“ Mr. Wheeler.—In Answer to that Part of Sir Eyre Coote's Minute, which seems to imply that the Donation to the Army on Account of the Rohillah War, has been retarded by the Intention of the Court of Directors, I beg Leave to observe, that it is not in their Power to order a Distribution of that Sum, without the Assent of the Legislature being previously had and obtained; and I may with equal Truth observe, that for the Court of Directors, at any One Time within the given Period, to have thrown the Affair of the India Company into Parliament for this Purpose only, would have been an Act of Indiscretion, if not an Act bordering almost on Insanity. Every other Step necessary for the Discharge of this Obligation, was taken by the Court of Directors previous to my Departure from England; the Opinion of a Board of Field Officers, on the Propriety of the Claim, not excepted.

“ I have no Sort of Objection to the Propriety of receiving it; but apprehend we are not authorized to distribute it.

“ Mr. Francis.—On the 27th October 1777, it was resolved by the Opinion of the Governor General and Mr. Barwell, against mine, that no Means could with Propriety be taken.

“ If it is proposed to reverse this Resolution, I shall agree to it; but I am of Opinion, that the Amount of the Donation is not properly demandable from the Nabob, at least not in the First Instance. I think it should be demanded from the Begum, who got Possession of all the late Vizier's Personal Property, and particularly, I believe, of the Wealth and Effects taken in the Rohillah Country. This was always my Opinion; and I believe I have by me a Minute to the same Effect, which I intended to have recorded on the 27th October, if the Question for making the Demand had been then carried. If I can find it, I shall beg it may be entered in this Place.

“ The Donation was promised to the Army, as a Compensation for their Share of the Plunder of certain Places in the Rhoillah Country, which they were intitled to by the Laws and Practice of War. Suja Dowla had the sole Benefit of this Compromise, as he appropriated and carried away with him the entire Spoils of the conquered Chiefs. If any Booty was acquired, it was by his own Troops. It is also well known that the Wealth, of which he possessed himself by these Means, or the most considerable Part of it, was conveyed to Fyzabad, and deposited in the Palace now occupied by the Begum; this, in my Opinion, is the Fund which should be answerable in the first Instance for the Donation to the Army, as their Acceptance of the Nabob's Promise in effect preserved the Whole from Plunder: no Will or Request of Suja Dowla can give the Begum a Right to the Succession to his personal Property, without binding her at the same Time to the Acquittance of his Debts. I think, therefore, that our Resident should be instructed to state the Case to the Begum, and demand the Amount of the Donation from her, to be kept in deposit by us, and disposed of hereafter according to the Instructions we may receive from the Court of Directors.”

Minute referred to in the above, delivered to the Secretary by Mr. Francis.

Mr. Francis's Minute by, intended to have been recorded 27 Oct. 1777.

“ Mr. Francis.—Whenever or from whomsoever the Money shall be received, I am of Opinion, it must remain as a Deposit in the Treasury, for the future Disposition of the Company or of Parliament.

“ Mr. Barwell.—I do not subscribe to the Sense Mr. Francis has ascribed to the Resolution of the 27th October 1777. My Opinion is in these express Words: ‘ Under the present Circumstances of this Government, I do not think any Measure ought to be taken.’ It is exceeding the Meaning of these Words to apply them to the present Day, the 9th August 1779, instead of confining them to the Year 1777. The Debt due to the Company was enormous at that Period, and the whole Burthen of the Recovery of it rested with that Influence on the Administration, which began to operate on the recent Appointment of Mr. Middleton in the Place of Mr. Bristow, though Mr. Bristow, exclusive of the ordinary Means offered by the Oude Government, did, under the Sanction of the Administration in Calcutta, upon an Application from the Nabob Afoph O'Dowla, extract * the Amount of Fifty Lacks from the Begum, for which this Government guaranteed that no further Demands should be made upon her, &c. under the Pretext suggested in this Day's Debate.—Mr. Bristow's Letter is dated 16th October * 75, and the Guarantee of this Government to the Nabob's Treaty with the Begum is dated the 15th of October 1775, (both entered in Consultation 8th November 1775). I will not pretend to say, that the Begum felt all the Distress she pretended to express on that Occasion; but this is a notorious Fact, that among the Jewels delivered up by her to Mr. Bristow, our Resident, and sold at publick Auction at Calcutta, was the Vizier's Hookah, set in Diamonds. The Opinion Mr. Francis imputes to me, I cannot admit in the Sense in which he interprets it; there is a great Difference between denying a Claim, and, under certain Exigencies of Government, protracting to urge it; but this, I think, I have sufficiently explained, and our Resolution of the 2d January 1775, by which I was equally bound at that Period, as I conceive the Board to be at this, declares the Right of the Army, and a Determination to secure that Right. As it will clear this Point much to have the Particulars of that Day's Record follow the present Discussion, I desire that the Secretary do call on Mr. Auriol for a Copy of it.

* Sic in Orig.

* Sic in Orig.

“ Extract Consultation, 2d January 1775.

“ Resolved, That the Expedient proposed by the Governor General, in his Minute of the 19th ultimo, be adopted.

Extract Proceedin 21 Jan. 1775.

“ That the Sum offered by the Vizir, as a Gratuity to the Army, be received as a Deposit into the Company's Treasury; and that an Application be made in the next General Letter to the Court of Directors, for their Interest to obtain the Confirmation of the Grant, by such legal Means as they in their Wisdom may chuse to employ. And further that, for the Purpose of ascertaining the Share which may be due to each Individual, whenever the Distribution shall take Place, as well as to inspire them with a greater Degree of Confidence to hope for the promised Reward, by defining the Object of it, an Account be formed for their separate Shares, to be made publick, with a Declaration that the Money will be kept sacred, as a Deposit, until the Pleasure of the Court of Directors shall be known; and as soon as the Board is authorized to pay it, that Payment will be made to the Parties, their Heirs, Executors, or Administrators, without any Deduction whatsoever.”

“ As the Publick Debt to the Company, by the Attention which has been given to the Reduction of it, is now nearly liquidated, I am of Opinion, that the Revenue of the Lands that were assigned to discharge it, should be retained, until this Claim of the Military is discharged. When we are possessed of the Amount, it is possible we may likewise be possessed of the Company's Dividends touching the issuing of it; if we do not, it will be Time enough to vote upon the Question, Whether it shall then be issued? Every previous Step has been taken relative to the Distribution of it to the Army; to disincumber the Question, and render it the simple one I have above described.

Mr. Barwell's Minute continued.

“ Mr. Francis.

“ Mr. Francis.—I beg it may be understood, that I do not acquiesce in any Part of the preceding Minutes, that respects the Circumstances of the Begum and her Son, though it would lead me too far to enter into a Refutation of it at this Time. On one Fact I beg Leave only to observe, that the Agreement alluded to by Mr. Barwell was for Thirty Lacks only, of which I am almost certain, from Memory, that no more than Two-thirds were paid. But, be this as it may, the Donation Money, as I understand it, is due, not from the present Nabob, but from the Person who inherited, or got Possession of the Personal Property of the late Vizir, consequently the Demand, if made on the Begum, is not on Account of the present Nabob, nor would it be any Violation of the Agreement above-mentioned, supposing that Agreement to have been faithfully executed on her Part.

Resolution
proposed by
the Governor
General.

* See in Orig.

See Proceed-
ings 15th July,
Page 51.

See Proceed-
ings 15th July,
Page 55.

* See in Orig.
See Proceed-
ings 15th July,
Page 61.

“ That in Furtherance of the Resolution of the 2d January 1775, and the Promise then made to the Army, the Vizier's Bonds for 10,50,000 be immediately sent to our Resident at the Vizier's Court, with Order to endeavour as soon as possible to obtain separate Tunkaws for the Amount of this Sum, and that he collect it with all proper Dispatch, and remit the Amount to the Presidency, there to remain as a Deposit * in the Company's Treasury, until the final Resolution of the Court of Directors may be received concerning it.

“ Agreed to by the Board.

“ Read, Minute by the Commander in Chief on Fortifications and Buildings.
“ The Board most heartily agree with the Commander in Chief in the Opinion which he has expressed of the Propriety of erecting a Church in Fort William, and think it the more necessary that a Work of this Kind should be immediately begun, not only on Account of the present advanced State of the Works, and necessary Buildings in the Fort, but because the Honourable the Court of Directors have already enjoined it in their Orders of so remote a Date as the
“ Agreed, therefore, that the Chief Engineer be directed to form the Plan, Section, and Estimate of a Church, attending to the additional Purposes recommended by the Commander in Chief. The Foundation thereof only to be immediately laid; and that it be included in the Estimate of the next Year.

“ Read, the Commander in Chief's Minute on the Hospital Contract.
“ Ordered, That at all the Military fixed Stations, such as Fort William, Berhampore, Dinapore, and Futty Gur, as well as in standing Cantonments, Convalescent Hospitals be established under the Inspection and Care of the Surgeons of the Corps serving there, for the Reception of Patients slightly indisposed, to be removed from thence to the General Hospital as their Case may require.

“ Read, Minute by the Commander in Chief's * Minute under the Head of Adjutant General.

“ Mr. Francis.—The present Adjutant General's Allowances are as follow :

“ 36 R^s per Day, Pay and Batta.

“ 100 R^s per Month, House Rent, and an Establishment of 270 R^s $\frac{3}{4}$ Month, which last, if he takes the Field, is to be increased to 600.

“ Amounting in all to the Sum of $\begin{cases} 21,180 \text{ Son's R}^s. \\ 23,510 \text{ C}^t \text{ R}^s. \end{cases}$

“ I think these Allowances are fully sufficient, and cannot consent to increase them.

“ Mr. Wheler.—I am against any further Increase to the Establishment of Adjutant General. *

“ Mr. Barwell.—I agree to the Allowance for Writers. I do not allow it to be any Addition to the Salary of the Adjutant General; he is only the Channel through which the Salaries of the Servants, acting under him, are disbursed. To fix a Salary and Allowances to the Station of Adjutant General, and then appropriate it, or oblige the Adjutant General to appropriate it, to pay the Writers he is forced to employ to keep up the Business of the Office, in my Opinion, would be a Mock. I therefore agree to the Recommendation; and that Sir Eyre Coote was under the indispensable Obligation to make it.

Resolution
proposed by
the Governor
General, and
agreed to by
Mr. Barwell.

* Recorded in
Proceedings of
Council 15th
July, Page 61.

† Recorded in
Proceedings of
Council 16th
July, Page 77.

“ That if the Adjutant General be allowed 800 Rupees $\frac{3}{4}$ Month, for Contingencies for Writers, in lieu of his present Establishment of 90 Rupees; but that this Allowance is to cease on the Departure of the Commander in Chief to any other Presidency.

“ Read, Minute * by the Commander in Chief on the Military Store Keeper General.

“ Agreed, That a Copy of the Minute be transmitted to the Board of Ordnance for their previous Consideration.

“ Read, Minute † by the Commander in Chief on the Surveyor General.

“ Governor General.—I most heartily concur in the Opinion expressed by the Commander in Chief, of the Disproportion of the present Allowances to the Importance of this Office, and the Abilities which are requisite to qualify the Surveyor to discharge the Duties of it, and on this Ground I recommend the following Establishment :

“ Salary

* Salary — — — 651
 " House Rent — — — 400
 " Draftsmen, Stationary, and Charges of Office to be drawn by the actual
 " Charge, but limited to 600 Rupees.

" Could I hope that my Recommendation would avail, I would further propose, that the Merits
 " of the late Surveyor General, to whose uncommon Abilities, Assiduity, Patience, and an Intre-
 " pidity, approved by the many Trials to which he has been exposed in the Course of the Surveys
 " made in his own Person, should be again reported to the Court of Directors, that if they shall
 " approve of the Salary now recommended, it may be further ordered to take Place from the
 " First Date of his Appointment.

" Mr. Francis.—I desire the Secretary will state the whole Allowances now drawn by the Sur-
 " veyor General; until I see that, I can give no further Opinion.

" Mr. Wheler.—I agree to it.

" Mr. Barwell.—I agree to it; and that a Recommendation be made to the Court of Directors,
 " as proposed by the Governor General.

" Resolved, That the following Establishment be granted to the Surveyor General:

" Viz. Rup^s.
 " Salary — — — 651 per Month.
 " House Rent — — — 400
 " Draftsmen, Stationary, and Charges of Office to be drawn by the actual
 " Charge, but limited to 600 Rupees.

" That the Merits of the late Surveyor General Major Rennell, to whose uncommon Abilities,
 " Assiduity, Patience, and an Intrepidity, approved by the many Trials to which he has been
 " exposed in the Course of the Surveys made in his own Person, be again reported to the Court
 " of Directors; that if they shall approve of the Salary now recommended, it may be further
 " ordered to take Place from the Date of his first Appointment.

" Read, the Commander in Chief's Minute on a Fund for Orphan Children.

" Sir Eyre Coote.—The Orders by the Court of Directors and the Board, under this Head, to
 " be * published. As I find the Sums which may arise from the Deduction of 10 $\frac{1}{2}$ Cent. on the * Sic in Orig.
 " Pay neglected to be drawn for after Two Months, is † unappropriated, although I expect † Sic in Orig.
 " very little from it, I beg Leave to propose, that it may be allotted as the Foundation for a
 " Fund for the Orphan Children of European Soldiers, until some more sufficient Provision is
 " made for these destitute Children, whose Case I recommend to the Board, and propose that the
 " Paymasters of Brigades, with the Authority of the Commanding Officer, do restrain ‡ this Money, ‡ Sic in Orig.
 " and keep a separate Account of it. (See Page 244.)

" Agreed, That a previous Trial be made of the Expedient recommended by the Commander in
 " Chief; and that the further Consideration of the Subject be deferred till the Result of it be
 " known.

" Read, Minute by the Commander in Chief on the * Depot of Provision for Fort William. * See Proceed-

" Governor General.—Having received frequent Remonstrances from the Agent for this Depot,
 " concerning the heavy Losses and Inconveniences to which he is subjected by the indefinite Term
 " of his Agency, which obliges him to purchase the different Articles of the Stores at the current
 " Prices of the Markets, and in such Quantities as are specified in the prescribed Lists, which in
 " Times of Scarcity can neither be procured of equal Qualities as in Seasons of Plenty, nor
 " without an Increase in the Price, sometimes even greatly exceeding the Rates prescribed in the
 " Table formed by the Board, the Governor General recommends, that the Agency be converted
 " into a Contract, and be fixed for the Term of Five Years. The Governor General desires his
 " Motion to be inserted in this Place; but to prevent any Delay in passing the Resolutions required
 " by the Subjects expressly submitted to the Board by the Commander in Chief in his Minute, he
 " desires that the Opinion of the Board may be received upon it in Circulation.

" Read, Minute by the Commander in Chief in Reply to the Reference made to him on Captain
 " Renny's Pretensions to command a Battalion of Sepoys from Seniority.

Recorded in
 Proceedings
 16 July, P. 80.

" Letter from Captain Renny.

" To Sir Eyre Coote Baronet, Commander in Chief of the Forces, &c.

Capt. Renny,
 enclosing Cer-
 tificates.

" Sir,

" In Consequence of the General Orders, all Addresses from Officers to the Board are to come
 " through the Channel of the Commander in Chief; I therefore take the Liberty of inclosing you
 " an Address, with a few Certificates of my Conduct as an Officer, and request you will be pleased
 " to lay them before the Honourable Board.

" I hope, Sir, you will take my long Service into Consideration, and grant your kind Assistance in relieving me from an Anxiety of Mind I have laboured under for these many Months.

" I have the Honour to be, with due Respect,

" Sir,

" Your most obedient and

" Most humble Servant,

" Calcutta,
" the 30th March 1779.

(Signed)

" George Renny,
" Capⁿ 1st Regiment."

Capt. Renny. " To the Honble. Warren Hastings Esquire, Governor General, and the Supreme Council.

" Honble. Sir and Sirs,

" As I am informed that my Representations to your Honourable Board are now under your Consideration, I beg Leave to inclose in this the several Certificates granted to me by the Field Officers, under whom I had the Honor to serve, which I hope will have due Weight with you, and remove the Grievances I labour under.

" I have the Honour to be, with due Respect,

" Honble. Sir and Sirs,

" Your most obedient and

" Humble Servant,

" Calcutta,
" the 30th March 1779.

(Signed)

" George Renny,
" Capⁿ 1st Regiment."

• Sic in Orig.
Major Auchmuty's Certificate.

" I do certify, That Captain George Renny having * served for near Four Years under my Command in the 1st Brigade, during which Time, as an Officer, he always acquitted himself to my Satisfaction on every Duty.

" Camp near Futtty Ghur,
" the 5th January 1779.

(Signed)

" A. Forbes Auchmuty,
" Major."

Major Blair's Certificate.

" To Captain Renny, 1st Regiment of Infantry.

" Sir,

" I have received your Letter, setting forth the Injury you conceive yourself to have sustained by your Name being passed over in the Appointments to Battalions of Sepoys, and requesting a few Lines in Support of your Character as an Officer.—If your Observation is well founded, that this Supercession has taken Place without any Cause whatsoever, I cannot help agreeing with you, that it is a manifest Prejudice to an Officer, as I have always considered it as an established Rule of the Service, that Battalions of Sepoys were disposed of according to Seniority.

" I am happy to have it in my Power to testify, that, for the several Years which you served under my Command, you have always acquitted yourself as an Officer to my Satisfaction; and I shall be glad that if, in doing you this Piece of Justice, I can contribute in removing the Grievances you complain of.

" I am, Sir,

" Your obedient and

" humble Servant,

" Cawnpore,
" January 14th, 1779.

(Signed)

" William Blair."

" To Captⁿ George Renny, of the First Regiment.

Lieut. Colonel Wilding's Certificate.

" Sir,

" I have been favoured with your Letter of the 15th instant; and am, in Reply, to inform you that during the Time I had the Honor of commanding the Regiment to which you belonged, near the Space of Two Years, you never gave me Cause to disapprove your Conduct respecting the Line of your Duty as an Officer under my Command.

" I have the Honor to be,

" Sir,

" Your most obed^t Servant,

" Camp Futtty Ghur,
" 17th Jan. 1779.

(Signed)

" B. Wilding."

Lieut. Colonel Hampton's Certificate.

" I do certify, That Captain George Renny has served in the 1st Brigade, during the Time I had the Honor to command the same, in every Respect to my Satisfaction as an Officer; and who did command the Regiment for some Time.

(Signed)

" Sam^l Hampton,
" Lieut^t Col^l commanding
" the 1st Brigade."

" Camp near Cawnpore,
" 4th February 1779.

" To

" To Capt Geo. Renny.

Lieut. Colon:
Upton's Certi-
ficate.

" Sir,
" At your Request, I do certify, and with much Pleasure, That during the Time you served in
" the 2d Battalion of the 1st Regiment, when commanded by me, you ever discharged your Duty
" as an Officer entirely to my Satisfaction.

" Chunar Gur,
" 13th February 1779.

" I am, Sir,
" Your most obedient
" humble Servant,
(Signed) " J. Upton."

" To Capt G. Renny.

General Stib-
bert's Certifi-
cate.

" Sir,
" I have received your Letter of the 13th instant, requesting I would signify to you the Pro-
" priety of your Conduct as an Officer since my Return to India.
" In Reply, I am to inform you, that I have always heard that you have always done your Duty
" as a good Officer. In which Light I have lately mentioned you to the Supreme Board.

" H^d Q^r, Futta Ghur,
" February 18th 1779.

" I am, Sir,
" Your obed^t humble Servant,
(Signed) " G. Subbert."

" Mr. Francis.—If, in establishing a general and permanent Regulation, I thought myself at
" Liberty to be guided solely by Motives of personal Confidence and Respect, I should acquiesce in
" the Proposition, because I am sure that every Power vested in the present Commander in Chief
" will be executed by him with the most perfect Impartiality.

" I beg to be understood, to object to the Proposition on a general Principle, and no other.
" I think that Seniority of Military Service should give a Title to Preferment, against which no
" personal Choice or Preference should be allowed to prevail in any Case, in which the Senior
" Officer cannot be appointed without Danger, or great Inconvenience to the Service. An Ob-
" jection, made by the Commander in Chief, should be sufficient to set him aside; and the
" next on the List should be appointed.

" Mr. Wheler.—I agree to the Motion as qualified in Mr. Francis's Minute.

" Mr. Barwell.—I assent.

" Governor General.—I assent.

" Read, Minute by the Commander in Chief, on erecting a Military School at Poonamalee.

" Agreed to recommend it to the Court of Directors in the next Dispatch.

See Proceed-
ings 16 July
Page 80.

" Read, Minute by the Commander in Chief under the H^d F^d W^m.

" Ordered, That the Chief Engineer be directed to form a Plan and Estimate of the Buildings
" recommended in the Commander in Chief's Minute, and that he include it in the ensuing
" Year's Estimate.")

See Proceed-
ings 15 July
Page 51.

§

(No Signature at the End of the Consultation.)

Read, from Book 433, the following Extract of a Consultation, dated 2d Sep-
tember 1779.

[" Fort William, 2d September 1779.

" At a Board of Inspection; Present,
The Honourable Warren Hastings Esq. Governor General, President;

Thursday.

Richard Barwell }
and } Esquires.
Edward Wheler, }

Mr. Francis indisposed. Lieutenant General Sir Eyre Coote absent at Gylhretty.

" 31st August 1779.

" The Governor General having carefully perused the Emendations for the Bullock Contract, proposes the following Alterations:

Governor Ge-
neral's Minute
on the Sub-
ject.

" Instead of the 12th Article, he proposes, that the Contractor shall be obliged to replace every
Bullock discharged, dead, stolen, killed, or taken by the Enemy; viz.

Any Number not exceeding	12, in 6 Hours	} Under a Penalty of 16 Sicca R ^s for each defi- cient Bullock.
D ^o	— — 24, in 12 Hours	
D ^o	— — 40, in 2 Days	
D ^o	— — 60, in 4 Days	
D ^o	— — 100, in 6 Days	
D ^o	— — 200, in 8 Days	

" This is intended to proportion the Penalty more accurately to the Deficiency.

" After

" After Art. 18, to be added the following Clause :

" And it shall be lawful for the Governor General and Council, at any Period after the Expiration of 18 Months from the Date of the Contract, to reduce any Part of the above Establishment, giving previous Notice of 6 Months to the Contractor, at the Expiration of which Time the Reduction shall take Place; and to indemnify the Contractor for the Loss which he shall sustain by the superfluous Stock which will lie in his own Hands, and by the Deprivation of such Part of his Contract, he shall be allowed for each reduced Bullock at the Rate of 13 Sicca Rupees per Annum, for the remaining Term of his Contract. For Example; if, at the Expiration of 1½ Year from the Date of his Contract, he shall have Orders to reduce the Establishment to 5700 Bullocks, he shall be allowed at the Expiration of 2 Years from the Date of his Contract, for the reduced Number, being 1000, an Indemnity of 39,000 Sicca Rupees.

" This Clause is proposed as a Provision for any Reduction of the Establishment, which may be thought necessary during any intermediate Term of the Contract, no such Provision being made in the Emendations.

" The Rate proposed for the Indemnity is founded on the following Computation :

" The Capital Stock of the Contractor is stated to be 2,50,000 Rupees, which, divided by 6700, the Number of Bullocks on the actual Establishment, is about 37 Ru' 4 A' for each Bullock; on which is proposed to be allowed, if discharged at the Expiration of 4 Years from the Date of the Contract, One Half of the Prime Cost, being 8 R' Indemnity, allowed for the superfluous Stock on Hand, and the Deprivation of the Profit for One Year, 25 $\frac{1}{4}$ Cent. on the assumed Capital for 1 Year, 25 $\frac{1}{4}$ Cent. on the assumed Capital of

—	37	4	—	—	9	8
Total Indemnity for One Year	—	—	—	—	—	17 8

" By the same Computation the Indemnity for 2 Years will be 27
 3 Years - 36 8
 4 Years - 46

" By the proposed Indemnity, the Contractor will receive for each Bullock, for the same respective Periods, as follows :

For 1 remaining Year	—	—	13
For 2 remaining Years	—	—	26
For 3 remaining Years	—	—	39
For 4 remaining Years	—	—	52

" And this Mode, being the least intricate, is therefore preferred.

" The Governor General proposes, that the Securities offered by Mr. Croftes be accepted, and that the Gross Penalty of the Contract be fixed at 4 Lacks of Sicca Rupees.

(Signed) " W. Hastings."

Mr. Francis. " The foregoing Papers were returned by Mr. Francis without any Opinion, that Gentleman being too much indisposed to read them.

Mr. Wheler. " Mr. Wheler made the following Remark :—Seen the 1st of September.

Mr. Barwell. " Mr. Barwell now delivers his Opinion as follows :—I agree to the Governor General's Propositions.

Resolution in Consequence. " Resolved accordingly, That the Alterations proposed by the Governor General be made in the Contract for supplying the Army with Bullocks; that Messrs. Johnson and Petrie be accepted as Mr. Croftes's Securities; and that the Gross Penalty of the Contract be fixed at Four Lacks of Sicca Rupees.

Mr. Francis's and Mr. Wheler's Minute on the proposed Bullock Contract. " The following Minute from Mr. Francis and Mr. Wheler, having been received by the Secretary on the Evening of the 31st ultimo, was circulated the next Day, and is now read, with the Papers accompanying it.

" 31st August 1779.

" Minute from Mr. Francis and Mr. Wheler.

" We have great Reason to complain of the uncommon Hurry and Precipitation with which the proposed Contract, for supplying the Army with Draught and Carriage Bullocks for Five Years, has been engrossed, and brought before the Board to be executed on Thursday the 26th instant.

" Considering the very extraordinary Charge which the Company is to incur by this Contract, and the Number of new and intricate Clauses and Provisions of which it consists, it was the Secretary's Duty to have prepared a Draft of the Contract, and to have submitted it to the Approbation of the Board, before he gave Directions to the Attorney for having it engrossed. This necessary Form not having been observed, we have not a sufficient Time allowed us to consider every Article of the Contract with the Attention it deserves; but this shall not prevent our laying before the Board such Remarks as immediately occur to us, in Hopes that they may still be early enough to induce the other Members to weigh the Subject more deliberately, and not to put their Names to an Instrument in which, as we think, the Company's Interest is entirely sacrificed, and their Orders flatly disobeyed. If, nevertheless, a Majority of the Board should persist in their Intentions to execute the Contract, we shall have done as much as depends upon us at present by stating our Objections to it, and shewing the Consequences that must attend it, supposing the Contract to take Effect.

" We have already referred to the Company's Instructions relative to Contracts in general ; but as we find that in the Year 1770 the Court of Directors had entered into a very minute Inquiry concerning the particular Contract for furnishing Draught and Carriage Bullocks, we beg Leave to annex a Copy of the Orders they gave at that Time, from which we shall only quote the following Words in this Place, that the Members of the Board, who have it in Contemplation to give away the Contract for Five Years, may know at the same Time that they are setting the Company's Authority at Defiance.

" It is our express Order, and we hereby positively direct, that you do not fail every Year to advertise for, and receive such Proposals as may be offered for supplying the Troops with Provisions, and for furnishing Draught and Carriage Bullocks to be employed with our Army, and that you do in all Cases accept those Proposals which may appear the most reasonable in Point of Charge."

General Letter, 23 March 1790, Paragraph 134.

" The annexed Paper, N^o 2, contains a Comparison of the Expence of the present Establishment of Bullocks, supposing it complete according to the Contract now existing, with that which is to be created by the proposed Contract. By this it appears, that the former is Sicca Rupees 13,786 3 per Month, and the latter Sicca Rupees 58,629, making the enormous Difference or Increase of Sicca Rupees 44,842 13 per Month. On this Footing the Bullock Contract will cost the Company no less than Current Rupees 8,16,120 per Annum for Five Years certain, or Current Rupees 40,80,600. And this excessive Charge cannot, according to the Terms of the Contract, be reduced a single Rupee during the Five Years, at the same Time that Openings are designedly left to increase it considerably.

" We solemnly protest against every Attempt to load the Company with such an immoderate Expence, and particularly against the Intention to fix it irrevocably for any Term of Years.

" In the Contract now existing, and in all the former Bullock Contracts, a Clause has been invariably inserted, by which the Company, or the Government here, or even the Colonels of the Brigades, had a Power reserved to them of discharging any Number of superfluous or unnecessary Bullocks, giving One Month's Notice to the Contractor; but no such Clause is inserted in the intended Contract, so that the Company must at all Events keep up the entire Number of Six thousand seven hundred Bullocks for Five Years, or at least pay for them under every Change of Circumstances whatsoever, and even though they should find it necessary to reduce or new model their Army in the mean Time.

" In the proposed Contract, no Distinction is made between Draught and Carriage Bullocks, or whether within or without the Provinces, every Bullock is to be paid for at the Rate of Sicca Rupees 8 12 per Month, or Sonat Rupees 9 2 3 $\frac{1}{2}$, including the Drivers.

" By the present Contract, without the Provinces, a Draught Bullock, employed

or unemployed, is — — — — — Son^t R^s 5 0 0

" Carriage ditto ditto ditto — — — — — — 3 10 0

" Draught and Carriage unemployed within the Provinces — — — — — Son^t R^s 2 9 6

— and for this he feeds them, and finds them in Drivers, Pads, Ropes, &c.

" The Difference between the Two Rates is so extraordinary, that we imagine no Member of the Board, who gives his Attention to the Subject, will ever content to it.

" In the 3d Article of the Proposals, it is stated, that condemned Bullocks shall be thrown on the Hands of the Contractor, but without any Penalty, which we think there ought to be, considering how much the Service may suffer, and that he is allowed Twelve Sicca Rupees per Annum for every Bullock in the Army to make good Losses that may happen by the Enemy, Death, Rejection, &c. besides a Bounty of Ten Sicca Rupees for every extra Bullock found upon Notice given.

3d Article.

" He is to incur a Penalty of Three times the actual Bazar Price of the Grain, if the Bullocks are not victualled agreeable to the Terms of the Contract; this latter Part the Commanding Officer of Brigade, and Commanding Officer of Artillery, may certify on the Bills; but as the Commissary General is to be the Check, how is he to know the actual Bazar Price of Grain at the several Stations. We think it would be much better to have the Penalty fixed at a certain Rate.

4th Article.

" By the 5th Article, the Contractor is to be paid by extra Bills for any Increase of Food given to the Bullocks by Order of the Commanding Officer; this we think highly unreasonable, as the Terms of the Contract are in themselves already much too liberal, and it is the Interest of the Contractor that his Bullocks should be properly fed.

5th Article.

" The Expence of Drivers, Sirdar Drivers, Bridles, Picket Ropes, Pads, &c. was never before charged to the Company.

9th and 10th Articles.

" Losses by forced Marches, or over loading, are to be made good to the Contractor; he is allowed a Sicca Rupee per Month for each Bullock, to make good Losses by the Enemy, Death, Rejection, &c. Every Bullock that dies will be drawn for on either of those Accounts. It is difficult to ascertain the Fact; but if the Clause is admitted, at what Rate is the Commissary General to allow within and without the Provinces for Draught and for Carriage Bullocks, which have died owing to those Two Causes? And what Proof or Evidence is he to accept, that the Death of the Bullock was owing to one or other of the above Causes?

11th Article.

" Is it meant that the Bullocks loaded with Grain for feeding the other Bullocks, are to be at the Expence of the Company? If not, there was no Occasion for this Article, as they always have been, and must be, allowed to attend the Army.

14th Article.

15th Article. " The Bounty of Ten Sicca Rupees for every extra Bullock found in a certain Time, as expressed in this Article, is unnecessary, at least the Sum proposed is a great deal too much. By the present Contract nothing is allowed for the Purchase of Bullocks, unless required within a Month's Notice; and if on such Emergency, the usual Price of Bullocks should be thereby enhanced, he is allowed for any extra Price that may have been actually paid more than Son^t R^e 12 8 0 for each Draught Bullock, and 8 Son^t Rupees for each Carriage Bullock; but if he does not pay more than those Prices, he is to be allowed nothing. In the Bounty there is no Distinction made, between extra Draught and extra Carriage Bullocks; the former ought surely to cost more than the latter, at least there has been always a Difference both in the Price and Charges of feeding hitherto. Considering the Time allowed in the 15th Article, no Bounty should be given; the Contractor is sufficiently rewarded by the Increase, without any other Emolument.

16th Article. If the Bills are not presented by the Contractor's Agent to the Officers, whose Duty it is to countersign them within a certain Number of Days after the Muster, the Contractor should be liable to a Deduction of 10 per Cent. Many Irregularities are produced from Bills being drawn sometimes Ten and Twelve Months in Arrears. After the Words, " that the Bills shall not lay above Eight Days in the Commissary General's Office," it should be added, " unless he has Occasion to make Reference to the Officers who have countersigned the Bills," as this will necessarily occasion some Delay.

19th Article. " In order to enable the Contractor to execute this most lucrative Contract, he is to have the Value of Three Fourths of his Stock advanced to him out of the publick Treasuries, when he may require it; and by the following Article we are to provide him with a Piece of Ground for keeping his Cattle. As we know not in what Terms to express our Disapprobation of these extravagant Conditions, we shall content ourselves with stating them for the Company's Observation.

10th Article. " The Penalty of 50 Sicca Rupees for every Bullock hired from Officers Civil or Military, seems to us a nugatory Clause, thrown in for no other Purpose but to give the Contract an Air of Rigour, which by no Means belongs to it; such a Penalty can never be enforced.

" To conclude;—we suggest these cursory Remarks to the Board, as fatal to the proposed Contract on its own Principles, and exclusive of the Illegality of granting a Contract on any Conditions for the Term in Question. Many other Objections, we doubt not, would occur to Persons better versed in the Subject than we are; but what has been said, we trust, will be sufficient to justify to the Company, and to the Publick in general, the Part we have taken, or may hereafter take, in resisting so enormous and unprecedented a Waste of the Company's Property.

(Signed)

" P. Francis.

" Edw^d Wheler."

No. I.

" Company's General Letter, 23d March 1770.

Par. 134. " It is our express Orders, and we hereby positively direct, that you do not fail every Year to advertise for and receive Proposals as may be offered for supplying the Troops with Provisions, and for furnishing Draught and Carriage Bullocks to be employed with our Army; and that you do, in all Cases, accept those Proposals which may appear the most reasonable in Point of Charge: And you are also to take Care that in all your Advertisements, a sufficient Time be allowed before the Expiration of the Contract which may then subsist, or the Time which you may limit for receiving Proposals for such Contract.

135. " And in order to prevent Abuses in future, we direct, that the Commanding Officer of our Troops at your Presidency do require from every subordinate Officer in the several Departments, every Fourteen Days or oftener, a Report of the Number, Size, and Condition of the Draught and Carriage Bullocks, furnished for and employed with the Army; and that he do report the same to the President and Council monthly or oftener as Occasion may require; and if the Bullocks should at any Time be deficient, he shall fully explain to what Cause such Deficiencies may be justly attributed, whether to Want of Size, Neglect of Feeding, Mismanagement, or other Abuse, or to unavoidable Casualties or other Circumstances, such as Length of Time in Service, the Nature of such Service, or otherwise; and he is also to inform himself, and signify to our President and Council at the same Time, in all Cases according to the best of his Judgement, how Defects of every Kind, relative to Bullocks in the Service, may be remedied. (a)

(a) Vide supra, P. 1341.

" COMPARISON between the Expence of the present and proposed Bullock Contracts.

" Proposed Contract.				Sonaut R ^s .	Sicca R ^s .	Current R ^s .
4000 Draft	} Bullocks, at 5 : 12	—	—	—	38,525	—
2700 Carriage		—	—	—	16,750	—
A Driver to every Two Bullocks is 3350, at 5			—	—	—	
A Sirdar Driver to every Six Pair of Bullocks is 550			—	3,354	—	
Sirdar Drivers, at 6			—	—	—	—
Total Monthly Expenses of the proposed Contract				—	58,629	—
" Present Contract Terms, and Number of Bullocks with the Army, supposing the same Number with the temporary as with the 1st Brigade in the Field, agreeable to the Establishment.						
640 Draft Bullocks with the 1st Brigade in the Field						
640 D ^o with temporary Brigade						
1280 Draft Bullocks, at 5				—	—	—
				6,400	—	
1125 D ^o with the Two Brigades at the Presidency and Burrampore						
36 D ^o with the Light Infantry						
1161 Draft Bullocks, at 3 : 7				—	—	—
				3,990	15	
306 Carriage Bullocks with the 1st Brigade						
306 D ^o with the temporary Brigade						
612 Carriage Bullocks, at 3 : 10				—	—	—
				2,218	8	
550 Carriage Bullocks with the Two Brigades at the Presidency and Burrampore						
14 D ^o with the Light Infantry						
564 Carriage Bullocks, at 3 : 3				—	—	—
				1,797	12	
Total Monthly Expence of the Bullocks for the Army & the present Contract, supposing the Establishment complet				—	—	—
				14,407	3	13,786 3
Difference of Expence betwixt the present and proposed Contract, monthly, Sicca Rup ^s				—	44,842	13
Total Expence of the proposed Contract per Annum, according to the fixed Establishment, and exclusive of all additional Allowances provided for in the said Contract, C. R ^s						
				—	—	8,16,120 —
Ditto for Five Years, C. R ^s						
				—	—	40,80,600 —

Read,

Read, also, from the same Book, the following Extract of the same Consultation.

Governor General's Information.

[“ The Governor General informs the Board, that he shall deliver a Reply to the Minute of Mr. Francis and Mr. Wheeler, above recorded, which he desires may have a Place in this Consultation.”]

Secretary's Information.
* Sic in Orig.

§ (“ The Secretary acquaints the Board, that he has prepared an Address on the Subject of that Part of that * Part of the foregoing Minutes respecting himself, which he begs Leave to lay before them; and it is accordingly, read as follows:

LR. No 309. “ To the Honourable Warren Hastings Esquire, Governor General, &c. Members of the Board
“ of Inspection.

“ Honble. Sir and Sirs,

“ It is with much Concern I perceive in the Minute of Mr. Francis and Mr. Wheeler, of the 31st August, a Disapprobation expressed of my Conduct, on the Occasion of my having brought before the Board on Thursday last, the proposed Contract for supplying the Army with Draught and Carriage Cattle, engrossed and ready for Execution. As such an Opinion standing on the publick Records, without some Explanation of the Circumstance from me, may imply a Conviction of Delinquency, I hope I shall be pardoned for troubling the Board with the following Representation on the Subject. I am sensible at the same Time, that I am guilty of some Irregularity in offering Remarks on the Minutes of any individual Members; but the Occasion, I hope, will justify the Irregularity, and that I shall have their Excuse for this Address.

“ On the 16th of August I received from the Secretary of the Military Department, the Emendations for a new Contract for the Draught and Carriage Cattle of the Army, which had been proposed by the Commander in Chief, accompanied with an Extract of the Board's Proceedings in that Department, approving the Plan, and directing that an Offer should be made to the present Contractor of engaging with him on the Terms therein prescribed, instead of the Contract at that Time in Force. In Consequence of this Order, I immediately wrote to the Contractor in the Terms of it, and his Answer, accepting the Proposal, was laid before the Board on the 19th of last Month, and stands recorded in that Day's Consultation. In the same Letter, the Contractor requested that the new Contract might be drawn in the Name of Mr. Charles Croftes, to which the Board agreed;—Mr. Francis dissenting from the Resolution. Instructions were of Course given to the Company's Attorney to prepare the necessary Deeds; and when they were ready, I perused them with the greatest Attention, compared them with the Plan which had been resolved upon, and on the 26th of last Month I laid them before the Board, with a Report, containing such Observations as had occurred to me upon them. In that Report I specified the Variations which had been made from the Plan; the Clauses translated from the old to the new Contract, which had not been done away or affected by the Emendations; and I believe the Contract to be drawn in strict Conformity to the Resolutions and Intentions of the Board, the Variations above-mentioned excepted. I was asked by Mr. Francis, Whether the Clause in the former Contract, which empowered the Governor General and Council, or the Commanding Officer of any Brigade or Detachment, during the Term of it, to discharge whatever Number of Bullocks they might think superfluous or unnecessary for the Use of the Army, on giving One Month's Notice, in Writing, of such Intention to the Contractor, or his Agent, was introduced into the new one; or whether the Company were obliged to keep up the Whole of the proposed Establishment during the Period of Five Years? I replied that it was not introduced in the new Contract, as that Clause had been annulled by the 15th Article of the Plan, which expressly stipulates, that ‘the Number of 4000 Draught, and 2700 Carriage Bullocks, being the Establishment required, shall be kept in Pay during the Term of the Contract.’ Upon this the Governor General desired that the Consideration of the Subject might be deferred, and he would revise the proposed Articles of Agreement; and it was not the Intention of the Board, as I understood, that the Presentment of them on that Day should be minuted. I am sorry, therefore, it should have been thought necessary to take Notice of this Circumstance. The Governor General's proposed Alterations were sent in Circulation before the Delivery of Mr. Francis's and Mr. Wheeler's Minute to me, though both were received the same Day.

“ If there was any Hurry or Precipitation in drawing the Contract, it was, I presume, rendered necessary by that Clause of it, which obliges the Contractor to provide the whole Establishment of Bullocks within a certain Time from the Day of its Execution; every Day's Delay protracted the Operation of the Contract, and the Publick Service might suffer from the Suspension. Could I have imagined, however, that there were any new Clauses or Provisions, which had not undergone the Consideration of the Board, and been finally settled previous to the Transmission of them to me to be communicated to the Contractor, and his Acceptance of them required; I should most certainly have thought it incumbent on me to have submitted a Draft of the Contract to the Board for their Approbation, before it was engrossed; but I conceived that nothing more remained, than for me to receive the Contractor's Answer, to give Instructions for drawing the Deeds, and, when drawn, to see that they were conformable to the Plan. I could have no Idea that any Part of it was to be revised at this Board. The Board were not
“ however

" however precluded, merely because the Contract was copied fair, from making any Alterations in it they might have thought proper." (a)

(Signed at the End of the Letter)

" J. Baugh."

(And at the End of the Consultation)

" Warren Hastings,

" Rich^d Barwell,

" Edw^d Wheler."

The Managers for the Commons desired that the Whole of the above Consultation of the 2d September 1779, might be entered in the Appendix (b), for the Purpose of shewing that the Governor General did not record in it any Reply to Mr. Francis's and Mr. Wheler's Minute above-mentioned: And informed the House they should next examine Mr. Hudson, to prove, that, as far as he had searched the Records of the Company, no such Reply did appear.

Q. Have you found any such Minute of Mr. Hastings—Have you searched the Books for that Purpose?

A. I have.

Q. In the Result, have you found such a Minute?

A. No, I have not.

Q. (*Cross-examined.*) Did you find a Letter of Gen^l Stibbert's?

The Managers for the Commons objected, that the proper Time for the Counsel for the Defendant to introduce the same, if it existed, would be on the Defence.

The Counsel for the Defendant waived the same for the present.

Read, the following Extract of a Consultation of the 16th September 1779, from the same Book.

[" Fort William, the 16th September 1779.

" At a Board of Inspection; Present,

The Honourable Warren Hastings Esquire, Governor General;
Edward Wheler Esq.

and

Lieu^t Gen^l Sir Eyre Coote K. B.

Messrs. Barwell and Francis indisposed.

Thursday.

" On the 9th instant the Secretary received the following Minute and accompanying Papers from Mr. Francis, which he immediately circulated to the other Members of the Board.

Mr. Francis's
Minute on the
Two Con-
tracts.

" Board of Inspection, 9th September 1779.

" Mr. Francis.—In Addition to the Remarks contained in Mr. Wheler's Minute and mine of the 31st of August on the proposed Bullock Contract, I beg Leave to lay the annexed Papers before the Board, and to request the Attention of the Members to the Calculations contained therein, before any further Steps are taken in this Business. Calculations of this Nature ought to have accompanied the Plan in the first Instance, that the Board might know what they were doing, and not be hurried blindly into Engagements, of the Extent, Consequences, and Expence of which they could not possibly have formed an Idea.

" The annexed Papers (Number 1 and 2.) shew the full Amount of all the Draft and Carriage Bullocks necessary for the compleat Service of the Three intire Brigades, supposing them all in the Field; by which it appears, that the Number of Bullocks proposed to be kept up for Five Years, exceeds what the whole Army on a compleat War Establishment would require by 2769. These supernumerary Bullocks, therefore, if they are maintained, will have nothing to do; there are not Guns or Carriages for them to draw; there is literally nothing for them to carry. But before this Time, who ever heard of keeping up a compleat War Establishment of Bullocks without actual Service in any Part of the Provinces? What are the Bullocks to do at the Presidency? What are they to do at the different Cantonments? In Truth, I might with great Reason ask (with the Exception of a very moderate Number) what Occasion have we for an Establishment of Bullocks any where? When they are wanted, they may be hired or pressed, as in Fact they have been hitherto, notwithstanding the Contracts. But, admitting that some Establishment ought to be maintained, it will be difficult to assign a good Reason why it should exceed the Complement necessary for the Troops in the Field. Supposing a Third of the Army to be maintained on a War Establishment, the Number of Draft and Carriage Bullocks, taken together, ought not to exceed

(a) Vide Appendix, N^o CXII.

(b) Vide Appendix, *ibid.*

1,310.—On this Principle, which of itself would lead us into an exorbitant Expence, the proposed Contract is to maintain 5,390. Bullocks more than can be wanted; which, for Five Years, at the new Contract Rates, will be found to amount to the enormous Sum of Current Rupees 32,82,510, absolutely given out of the Company's Treasury, or squandered without any Necessity or Service whatsoever.

" N^o. 3. contains a Calculation of the Difference of Expence between the proposed Establishment and that which would be necessary for the whole Army in the Field calculated at the new Contract Rates; even on this extravagant Principle, the Expence would fall short of the proposed Contract by near Seventeen Lack of current Rupees in Five Years.

" N^o. 4. shews what the Expence of a complete Establishment for the whole Army would amount to if calculated at the present Contract Rates.—The Difference between this and the proposed Rates and Numbers, amounts in Five Years to no less than C^r R^s 30,43,854, or very near 305,000 l. Sterling.

" If a Majority of the Board, with such glaring Facts before them, can entertain a Thought of proceeding farther in the proposed Contract, I cannot hope that they will pay the least Regard to any Observations I can make upon it.—To acquit myself nevertheless of the Duty I owe to the Company on this important Occasion, I think it right to state the following general Considerations.—My present ill State of Health will not allow me to go so deep into the Subject as I should do at another Time.

" Although no Evil is more severely felt, yet there is not apparently any less attended to than the Number of Followers of the Army; they consist of a Multitude of predatory Vagrants, and whatever tends to increase their Number, tends to embarrass and impede the Service. Provisions and Forage are not only rendered constantly dearer than they need be, but frequent Scarcity of both are occasioned by this Rabble, which thereby bring into imminent Danger the Safety and Existence of the Troops.

In this View, the Number of Bullock Drivers proposed appears to be highly detrimental to the Good of the Service.—It would not be credited in Europe, that Twelve Bullocks should require Seven Keepers—but this is not the Extent of the Evil—Some at least of those Seven carry along with them their Families; those have their Attendants, with Bullocks or Tattees to carry their Provisions, and those must have Drivers, who also must have Provisions.—Thus the Number of Followers increases beyond Calculation. Measures tending to reduce their Numbers would be useful indeed, and deserving of the highest Applause; but what shall we say of Schemes which manifestly tend to increase them? What Effect can they have but to increase the Confusion of our Camps, to enhance the Difficulties of procuring Forage and Provisions, to extend and weaken the Line of March, and in the End to make your Army little better than a Convoy for your Baggage!

" Having not had it in my Power to enter into a particular Consideration of the new victualling Contract, I take this Opportunity of declaring, that I entirely concur in Mr. Wheeler's Remarks upon it. I find it is formed upon the same exorbitant Principles with the Bullock Contract, and to be executed by the same Persons;—that is, a Variety of concealed Interests are to be provided for under the Name of Mr. Croftes. On this Part of the Subject I must observe, that the Two Contracts ought not on any Account to be in the same Hands. No One Person is equal to the Conduct of Two such extensive Concerns.—In the second Place, I must declare that the present Contractors, whoever they are, are the most improper Persons that could be chosen for the like Trust in future. The Contracts never were so ill executed as by the present Contractors. Their Bullocks have never been ready or fit for Service when called upon, and the Provisions to the Europeans, particularly the Beef, has been such as must have produced a Mortality among them if they had eaten it. The Contractor has never given an Ounce of Mutton to the Europeans in Fort William since February last; in Consequence of which they have usually taken Cowries in lieu of the Carrion Beef with which he would have supplied them.

On the Increase of the Rates in both Contracts, there is one general Observation to be made, which I think must strike every Man conversant in publick Business. In engaging for the Supply of any Article whatsoever, the Contractor proportions his Rate or Price to the Quantity of the Thing demanded. If he supplies a little, his Rate or Price must be proportionably higher; if he supplies a great deal, he can afford to reduce his Terms, since the Profit upon the Whole compensates for the Reduction on the Rate of the specific Articles. In the proposed Bullock Contract this universal Principle is manifestly reversed. The Number of Bullocks, on the Pay of which the Contractor's Profit is to arise, is increased in nearly the Proportion of Seventeen to Nine, and the Period during which the Contract is to endure is enlarged from One Year to Five. One would expect from this Increase of the Period and the Number that the Rates would have been proportionably diminished. On the contrary, however, the Company will find that the rated Pay of each individual Bullock, counting the Draft and Carriage Bullocks together, is double what it was. Upon the Whole, the Terms, voluntarily contrived and given by Government, are such as I presume no Man living would have presumed to have demanded, if the Contract had been advertised in the Manner prescribed in the Company's most peremptory and repeated Orders.

(Signed)

" P. Francis."]

N^o. I.

§ (" Proportion of Ordnance for One Brigade, consisting of One Regiment of Europeans, 11 Battalions of Sepoys, and a Detachment of the Corps of Artillery, shewing the Number of Draught Bullocks necessary for dragging its Train, and for that of the whole Army.

" 4 12 Pounder Brass Guns, with Carriage, 10 Bullocks to each	—	—	40
" 28 6 Pounder Brass Guns, with Carriage, 8 Bullocks to each	—	—	224
" 4 5½ Inch Howitzer, — 6 Ditto	—	—	24
" 29 Tumbrils, Ammunition loaded, 10 Ditto	—	—	290
" 1 Ditto Treasure, — 10 Ditto	—	—	10
" 2 Carts, Artificers, — 10 Ditto	—	—	20
" 1 Waggon for Gin, — 16 Ditto	—	—	16

" Spare Carriages and Tumbrils.

" 1 for 12 Pounders, — 8 Ditto	—	—	8
" 7 for 6 Ditto, — 6 Ditto	—	—	42
" 1 for 5½ Inch Howitzer, — 6 Ditto	—	—	6
" 7 Tumbrils, — 6 Ditto	—	—	42

" Allow One Spare to every 6 Bullocks — 120

" Complement of Draught Bullocks for One Brigade on Service — 842

" Ditto for Three Brigades — 2,526

" 2 Six Pounder Guns } Independant Chittagong Battalion — 30

" 2 6 Pounder Guns } Battalion of Light Infantry — 30

" Total Draught Bullocks necessary for the Field Ordnance of the whole Army, sup- } 2,586
posing it in Motion on actual Service — — — —

" According to the Establishment of 1777, the Complement of Ordnance for a Brigade on Service was 26 Pieces; since that Period 2 Twelve Pounders and 2 Howitzers have been added, which, with the 6 Guns of the Three Battalions of the temporary Brigade that are to be incorporated into each of the other Brigades, makes the present Proportion 36 Pieces.

N^o. II.

" Calculate of Carriage Bullocks, necessary for carrying the Musquet Ammunition and Military Stores attached to a Brigade on Service, supposing it to be of the Strength specified in N^o. I. shewing the Number necessary for the whole Army, supposing it to be in Station.

" 196 Carriage Bullocks will carry 392 Barrels of Musquet Ball Ammunition, each
" Barrel containing 800 Rounds to * — — — 3,13,600 * Sic in Orig.
" Supposing a Brigade to consist of 9,580 Men, and that 8,500 of them are fit
" for Service, they will carry in their Pouches, at 24 Rounds ~~per~~ Man, 1,70,000

" Total Musquet Cartridges for a Brigade on Service — 4,83,600
" 50 Carriage Bullocks will carry 100 Sixty lb. Barrels of Powder, being the usual Proportion for the Service

" 130 Carriage Bullocks (with 20 Haccaries, which are not provided by the Contractor) it is
" believed are sufficient for the Carriage of the other Stores in the Magazine. N. B.
" Exclusive of the above Haccaries, the Captains of Battalions and Quarter Masters
" are allowed 18, and the Surgeon Majors 10 Haccaries.

" 376
" 63 Spare Bullocks in the Proportion of One to Six.

" 439 Total Number of Carriage Bullocks necessary to be provided by the Contractor for One Brigade on Service.

" 879 Add for Two other Brigades on Service.

" 1317 Total Carriage Bullocks for Three Brigades.

" 14 Allow for the Chittagong Independant Battalion.

" 14 Allow for the Battalion of Light Infantry.

" 1345 Grand Total Carriage Bullocks.

N^o. III.

N^o. III.

" Calculate of the extra Expence that would be incurred by Excess in the Number of Bullocks and Drivers, supposing no Excess in the Rates proposed.

	S. R ^s .	Sont. R ^s .		S. R ^s .
" 4000 Draught } Bullocks, at 8 12 or 9 2 3 $\frac{1}{4}$, including Drivers Wages,				S. R ^s .
" 2700 Carriage } as proposed, $\frac{7}{8}$ Month				58,629 0
<u>6700</u>				
" 2586 Draught } Bullocks necessary for the Train of the whole Army, at				34,401 4
" 1345 Carriage } the above Rate $\frac{7}{8}$ Month				
<u>3931</u>			Monthly Difference Sicca R ^s .	24,227 12
			" Annual Difference	2,90,733 0

" Difference that would be occasioned in Five Years by mere Excess of Bullocks, at the Rates proposed, S. R^s. 14,53,665, or C. R^s. 16,86,251 6 5.

N^o. IV.

" Comparison between the Expence of the proposed Contract, and the necessary Number of Bullocks for the Army at the present Contract Rates; supposing Half the Troops to be without, and the other Half within the Provinces, and the Whole on actual Service.

" Proposed Contract Establishment, as before stated per Month	S. R ^s .	58,629 0 0
" Present Establishment.		
" 1293 Draft Bullocks without the Provinces, at 5 R ^s .		6,465 0
" 673 Carriage D ^o . D ^o . at 3 10		2,439 10
" 1293 Draft } at 3 7		4,444 11
} within the Provinces,		
" 672 Carriage } at 3 3		2,142 0
	Sonant Rupees	15,491 5 or 14,823 10 0
" Monthly Difference,	S. R ^s .	43,805 6 0
" Annual Difference,		5,25,664 8 0
" Difference in Five Years, S. R ^s . 26,28,322 8, or C. R ^s		30,48,854 1 7

" Proof of the Difference.

" Annual Expence of the proposed Contract, S. R ^s . 7,03,548, or		
" C. R ^s . 8,16,115 10 11, which for Five Years is		C. R ^s . 40,80,578 6 7
" Annual Expence of the present Establishment, according to the present		
" Contract Rates, S. R ^s . 1,77,883 8, or C. R ^s . 2,06,344,13 9 $\frac{1}{2}$, which		
" for Five Years is		10,31,724 5 0
" Difference as above, Curt. R ^s . 30,48,854 1 7") §		

Mr. Wheler's Minute on the Bullock Contract. [" Mr. Wheler delivered the following Minute in Addition to the foregoing in Circulation from Mr. Francis. September 14th, 1779.

" Mr. Wheler.—In Addition to Mr. Francis's Account, I beg leave to present the accompanying Calculate (N^o. 5) in order to demonstrate, that even upon the extravagant Supposition of the Necessity of keeping up a constant Establishment of 6,700 Bullocks, an Excess of Expence will arise in Five Years, from the exorbitant Increase of the Contract Rates, of no less than Current Rupees 23,44,191 8 5, being above Two hundred and thirty-four thousand Pounds Sterling; and having established this Fact, which, with what Mr. Francis had said, sufficiently exposes the Complexion of this Transaction, and cuts off every possible Plea of Justification, I have at present only to add, that I join Mr. Francis in reprobating the projected Contract, as a Measure big with the most ruinous Consequences to the Company.

N^o. V.

N^o. V.

* CALCULATE of Surplus Expende that would arise from the Increase of Rates, supposing the whole Number of Draught and Carriage Bullocks, specified in the proposed Contract, to be necessary, and One Half of that Number to be without, and the other Half within the Provinces.

	S ^r R ^r A.	S ^r R ^r A. P.	Cur ^r R ^r
4000 Draught } Bullocks, being the 2700 Carriage } proposed Contract Establishment, as specified in N ^o III. — — —	—	58,629 --	—
2000 Draught Bullocks of the Pro- vinces, at the present Contract Rate, 5 Sonaut Rupees each	10,000 --	—	—
2000 D ^r within the Provinces, at the present Contract Rate, at 3 7 each — — —	6,875 --	—	—
4000 Total Draught Bullocks proposed # Month, at the present Con- tract Rates — — —	16,875 --	—	—
1350 Carriage Bullocks without the Provinces, at the present Con- tract Rate, 3 10 each —	4,893 12	—	—
1350 D ^r within the Provinces, at the present Contract Rate, at 3 3 each — — —	4,303 2	—	—
2700 Total Carriage Bullocks pro- posed at the present Contract Rates # Month — — —	9,196 14	—	—
Monthly Expende of the pro- posed Contract Establishment of Draught and Carriage Bul- locks, at the present Contract Rates — — —	26,071 14 or	24,948 1 4 ¹¹ / ₈	
Monthly Difference between the proposed and present Contract Rates — — —	—	33,680 14 7 ¹¹ / ₈	
Yearly Difference — — —	—	4,04,170 15 2 ¹¹ / ₈	
Total extraordinary Expende that would be occasioned in Five Years, by the mere Increase of Rates, supposing no Excess in the Number of Bullocks pro- posed . — — —	—	20,20,854 12 2 or	23,44,191 8 5

(Signed at the End of the Consultation)

“ Warren Hastings,
“ Edw^d Wheler.” (a)

(a) Vide Appendix, N^o CXCIH.

Read, also, a further Extract from the same Book and same Consultation, as follows :

Contract of
Mr. Croftes
for providing
and feeding
Draft and
Carriage Bul-
locks and Ca-
mels for the
Use of the
Army.

" Articles of Agreement, indented, had, made, concluded, and fully agreed upon, this First Day of September, in the Year of our Lord Christ One thousand seven hundred and seventy-nine, between the United Company of Merchants of England trading to the East Indies, of the One Part, and Charles Croftes of Calcutta, in the Province of Bengal, Gentleman, of the other Part, in Manner and Form following; (that is to say,)

" Whereas the said Charles Croftes hath proposed to and agreed with the Governor General and Council of the Presidency of Fort William, acting for and on the Part and Behalf of the said United Company, to furnish and provide for the Use of the Army and Troops in the Service of the said United Company, on the Bengal Establishment, such certain Number of Draught and Carriage Bullocks as herein-after is mentioned, and such a Number of Camels as shall or may be wanted for the Service of the same Army, during the Space of Five Years, commencing from the Day of the Date of these Presents; and also for the Feeding and Keeping such Bullocks and Camels in fit and good Order and Condition to perform such Work as they shall respectively happen to be wanted for, during such Space of Time as aforesaid, as well within the Provinces of Bengal, Bahar, and Orissa, as in all other Parts and Places without the same Provinces, wherever such Army or Troops shall happen to be and require the same; as also to find Drivers and Attendants for the same Draught and Carriage Bullocks and Camels, and all such necessary Harness and Accoutrements as shall or may be wanted for the same, and as herein-after is particularly mentioned, he the said Charles Croftes being paid by the said United Company, their Successors, and Assigns, on the same several Occasions, the several Sums of Money herein-after for that Purpose expressed, at such Times, and in such Manner, and subject to such Terms and Conditions as herein-after are particularly mentioned and set forth. Now these Presents witness, That he the said Charles Croftes, for the Considerations aforesaid, and for and in Consideration of the several Sums of Money so agreed to be paid to him by the said United Company as herein-after is mentioned, and of other the Covenants, Conditions, Articles, and Agreements, on the Part and Behalf of the said United Company, to be observed, performed, fulfilled, and kept, doth for himself, his Heirs, Executors, Administrators, and Assigns, covenant, promise, and agree, to and with the said United Company, their Successors and Assigns, that he the said Charles Croftes, his Executors, Administrators, or Assigns, shall and will, at his and their own proper Costs and Charges, from the Day of the Date of these Presents, for and during the full End and Term of Five Years now next ensuing, well and truly find, provide, and supply to and for the Use of such the Army aforesaid, in Manner herein-after mentioned, Four thousand Draught Bullocks, and Two thousand and seven hundred Carriage Bullocks, of such respective Standards, Size, and Age as herein-after is mentioned; (that is to say), That every Bullock so to be provided, either for Draught or Carriage, shall be at least Twelve Hands and a Half, or Fifty Inches in Height, above the Age of Four Years, and under the Age of Six Years, and to be continued in the Service until the Age of Twelve Years, and no longer; and also shall and will find and provide to and for the Use of such the Troops and Army aforesaid, all such and so many Camels as they the said United Company shall want or stand in Need of during the Term of Five Years aforesaid, in Addition to the Number of Camels which the said United Company are now already possessed of: And the said Charles Croftes, for himself, his Heirs, Executors, Administrators, and Assigns, doth further covenant, promise, and agree to and with the said United Company, their Successors and Assigns, that every Carriage Bullock, so to be provided by him in pursuance of his Covenant herein-before for that Purpose contained, shall be of sufficient Strength, Power, and Ability to carry on his Back a Burthen of One hundred and sixty Pounds Weight, exclusive of his Pad; and that the Draught Bullocks so to be provided in Manner aforesaid, shall be of such Strength and capable of such Work as herein-after is mentioned; (that is to say), that Twenty-four of such Bullocks shall be able to draw and accompany the said Army on common * Merches with a Twenty-four Pounder Gun, Eighteen Bullocks with an Eighteen Pounder Gun, Twelve Bullocks with a Twelve Pounder Gun, Six Bullocks with a Six Pounder, Four Bullocks with a Three Pounder, Fourteen Bullocks with an Eight Inch Howitzer, Ten Bullocks with a Five and Half Inch Howitzer, Six Bullocks with a Four Inch and Two Fifths of an Inch Howitzer, Fourteen Bullocks with the common Army Waggon, and Ten Bullocks with a Tumbrill: And also that the said Four thousand Draught Bullocks, and the Two thousand and seven hundred Carriage Bullocks, so to be supplied and provided, shall within the Term of Six Months from the Date of these Presents, be all and every of them ready and provided, and at Hand, at such respective Places as the Train Bullocks are now stationed, or at such other Parts and Places as the Commander in Chief of such Army, for the Time being, shall direct and appoint by Notice in Writing for that Purpose to be given; and all and every such Bullocks, when and as often as the same shall be offered and tendered for Service by the said Charles Croftes, his Executors, Administrators, or Assigns, at all Times within the said Space of Six Months, so limited for the providing the same, shall immediately be received and mustered, and examined whether fit and able for Service, and of the Standard Size and Age herein-before for those Purposes particularly mentioned and expressed, in order that Payment may be made to the

* Sic in Orig.

said Charles Croftes, his Executors, Administrators, or Assigns, for all such Bullocks respectively, from the Day of their being so mustered and received into the Service; and shall then and there be mustered and examined whether fit and able for Service, and of the Standard Size and Age herein-before for those Purposes particularly mentioned. And the said Charles Croftes, for himself, his Heirs, Executors, and Administrators, doth further promise and agree with the said United Company, that in case of any Failure or Default made by the said Charles Croftes, his Executors, Administrators, or Assigns, in the providing and supplying and having ready the said respective Number of Four thousand Draught and Two thousand and seven hundred Carriage Bullocks, at the respective Places and Stations, and within the Term above stipulated and allowed for the providing the same, that then, and in that Case, he the said Charles Croftes, his Executors, Administrators, or Assigns, shall and will well and truly pay, or cause to be paid, to the said United Company, the Sum of Sixteen Sicca Rupees Ten, by Way of Forfeiture, for every Bullock (whether Carriage or Draught) which shall be so wanting and deficient out of the same several and respective Complements of Four thousand Draught and Two thousand and seven hundred Carriage Bullocks, to be provided and supplied as aforesaid. And it is hereby declared, covenanted, and agreed, by and between the said Parties to these Presents, that the Commanding Officers of Artillery, and the Commanding Officers of Trains, for the Time being, under the Commanders of the respective Brigades of the Army of the said United Company, shall be and are hereby constituted and appointed General Inspectors and Examiners of the same Bullocks, and of each and every of them, with full Power and Authority for them the said Officers respectively, under whose respective Charge the said Bullocks shall be placed, to inspect and examine the same Bullocks, and afterwards to report to the Commanding Officers of the respective Brigades, for the Time being, the full Particulars of the same Bullocks and every of them, as to their and each of their Fitness and apparent Ability to perform the respective Services for which they were provided; and in case the said Inspectors, or any or either of them, shall report to such Commanding Officers or Officer as aforesaid, that such Bullocks so provided, or any or either of them, are or is unfit or incapable of the Service for which they the same Bullocks or Bullock have or hath been respectively designed and provided, that then and in that Case the same Bullocks or Bullock so objected to, shall be examined by Three other Persons: that is to say, by One Person to be appointed on the Part of the Commander in Chief, One on Behalf of the Commanding Officer of the Train, and One on the Part of the said Charles Croftes, his Executors, Administrators, or Assigns, which Persons so appointed shall have full Power and Authority, and are hereby declared to have full Power, Licence, Liberty, and Authority to try and examine all and every such Bullocks and Bullock objected to, and either to deem fit and approve, or to reject the same, as they, or any Two of them, shall see proper; and in case the same Bullocks, or any or either of them, shall be so rejected, then the said Charles Croftes, his Executors, Administrators, or Assigns, shall, within the Space of Twenty Days after such Bullocks or Bullock shall have been so rejected and dismissed, find and provide, in the Lieu and Stead thereof, a like Number of fit and proper Bullocks, so as always to make up and complete the Numbers expressed in the Covenant of the said Charles Croftes herein-before for that Purpose contained; and the said Charles Croftes doth hereby further promise and agree with the said United Company, that in case any or either of such Bullocks shall be so rejected, to provide and find other fit and proper Bullocks in the Place or Stead of all such as shall or may be so rejected, within the respective Times herein-after for that Purpose mentioned, and according to the Number which may be wanted on such Occasion, under and subject to the Payment of the several Penalties herein-after for that Purpose expressed and agreed upon in Default of the same Bullocks, or any or either of them, being so found and provided; (that is to say), that he the said Charles Croftes, his Executors, Administrators or Assigns, shall and will find and provide any Number of Bullocks, not exceeding Twelve, in the Space of Six Hours from the Time of such Rejection of any unfit and improper Bullocks; or shall and will find and provide Twenty-four Bullocks within the Space of Twelve Hours; and shall and will find and provide any Number of Bullocks, not exceeding Forty, in the Space of Two Days from the Time of such Rejection as aforesaid, Sixty Bullocks in Four Days, One hundred Bullocks in the Space of Six Days, and Two hundred Bullocks in the Space of Eight Days: And in case of any Failure or Default to be made by the said Charles Croftes, his Executors, Administrators, or Assigns, on the finding and providing other fit and proper Bullocks in the Place and Stead of all and every such Bullock which may be, so rejected as aforesaid, he the said Charles Croftes, his Executors, Administrators, or Assigns shall and will well and truly pay to the said United Company, their Successors or Assigns, a Penalty or Forfeiture of Sixteen Sicca Rupees, for each and every Bullock which shall be wanting and deficient to complete and make up the Number of Bullocks so to be required in the Place and Stead of those to be rejected, in Manner afore-mentioned: And it is hereby further covenanted and agreed, by and between the said Parties to these Presents, that all such Bullocks, when and as soon as the same shall have been provided and approved as herein-before is mentioned, shall be marked in the Presence of some Officer of the Artillery, whom the Commanding Officer for the Time being may think proper to appoint for that Purpose, with the Mark of the said United Company, and also with a Letter or further Mark, to denote the Year in which such Bullock shall have been received, together with some further Mark or Figure to denote his Age. And the said Charles Croftes doth for himself, his Executors, Administrators, and Assigns, covenant, promise, and

and agree, to and with the said United Company, their Successors and Assigns, that he the said Charles Croftes, his Executors, Administrators, or Assigns, having so found and provided the said respective Numbers of Four thousand Draught and Two thousand and seven hundred Carriage Bullocks as aforesaid, shall and will well, at his and their own proper Costs and Charges, feed, maintain, support, and keep the same Bullocks in good Health, and at all Times fit for the Use and Service of the said Army, during the said Space or Term of Five Years; and shall and will find and provide for and allow to each and every such Bullock, Food and Provender of the best Sorts, Kinds, and Qualities, which can be had or procured, and in the respective Quantities following; (that is to say), to each Bullock Three Seers of the Gram for each Day, when the Army shall not be on a March, together with a proper Quantity of Fodder, and when the Army shall be on March, the Quantity of Four Seers of Gram, and on halting Days Three Seers of Gram, and Five Seers of Straw or Grass: And the said Charles Croftes for himself, his Heirs, Executors, Administrators, and Assigns, doth further promise and agree, that in case the said Charles Croftes, his Executors, Administrators, or Assigns, shall at any Time, during the Continuance of these Presents, neglect to supply and allow to each and every Bullock such respective Quantities and Allowances of Food and Provender as aforesaid, that then the said Charles Croftes, his Executors, Administrators, or Assigns, shall and will, for every such Neglect or Omission, well and truly pay to the said United Company, their Successors or Assigns, a Sum of Money equal to Three times the Bazar or Market Price of every Seer of Gram which shall have been deficient or wanting to complete the full Allowance which ought to have been given to each respective Bullock as above-mentioned. And in case the Officer, for the Time being, holding the Command of the said Army of the said United Company, or of any Detachment or Part thereof, with which such Bullocks or any of them shall be on Service, shall deem it expedient to order that an Increase of Food shall be allowed to the Bullocks on such Service, then the said Charles Croftes doth for himself, his Heirs, Executors, Administrators, and Assigns, covenant, promise, and agree, to and with the said United Company, their Successors and Assigns, that he the said Charles Croftes, his Executors, Administrators, or Assigns, shall and will, on the Receipt of such Orders or Notice in Writing for that Purpose delivered to him, his Executors, Administrators, or Assigns, or to any Deputy or Agent of the said Charles Croftes, his Executors, Administrators, or Assigns, attendaht on the same Business, well and truly provide for, and give and allow to, such Bullocks, all and every such further and additional Quantity of Food and Provender, as such Commanding Officer shall think proper to direct and order for the same; which Order, so to be delivered as aforesaid, shall specify the additional Quantity of Food so to be provided, and shall be used and received by the said United Company, and their Agents, Successors, and Assigns, as a good and sufficient Voucher on the Part of the said Charles Croftes, his Executors, Administrators, or Assigns, for his or their drawing for the additional or extra Supply of Food, to be paid for by the said United Company, at the Rates herein-after mentioned: And the said Charles Croftes, for himself, his Heirs, Executors, Administrators, and Assigns, doth further covenant, promise, and agree, to and with the said United Company, their Successors and Assigns, that he the said Charles Croftes, his Executors, Administrators, or Assigns, shall and will furnish and keep a Driver or Keeper to every Pair of Bullocks, whether Draught or Carriage, for the Purpose of attending and keeping, and loading or unloading the same Bullocks, together with One other Person, as a Sirdar or Head Man, to every Six Drivers or Keepers, to oblige the same Drivers or Keepers respectively to a due Discharge of their Labour and Duty; which said Drivers and Keepers, and their Sirdars or Head Men, so to be employed as aforesaid, shall be mustered with the Bullocks, when and as often as the same Bullocks shall be mustered, and a Return be made of such Drivers or Keepers, and Sirdars, in like Manner as shall be made of the Bullocks, each of which Drivers or Keepers shall be found and supplied by the said Charles Croftes, his Executors, Administrators or Assigns, once in every Three Months during the Continuance of these Presents, with a Pair of Shoes, a blue Turban, and blue Commerband, together with a driving Staff and Six Cubits of Rope, the same Articles of Dress and Accoutrements to be equal and agreeable to a Muster or Pattern for the same, to be approved by the commanding Officer of the Artillery for the Time being, where the same Bullocks shall be used: And the said Charles Croftes, for himself, his Heirs, Executors, Administrators, and Assigns, doth further promise and agree, to and with the said United Company, their Successors and Assigns, that he the said Charles Croftes, his Executors, Administrators, and Assigns, shall and will, during the Continuance of these Presents, well and truly pay, or cause to be paid, to each and every of the Sirdars and Head Men aforesaid, the monthly Wages or Sum of Six Sicca Rupees, and to each Driver or Keeper Five Sicca Rupees, in Manner following; (that is to say) Four Sicca Rupees, Part of the said Five Sicca Rupees, so to be paid to each Driver, shall be paid to such Driver on the Field, in the Presence of any such Officer or Person as the Commanding Officer of Artillery, or the Officer of the Trains, shall think proper to appoint so far to such Payments, and the remaining One Rupee to be kept by the said Charles Croftes, his Executors, Administrators, or Assigns, to enable him or them to purchase and supply each Driver, once in every Three Months, with one of each of the above Articles of Dress and Accoutrements; and also that he the said Charles Croftes, his Executors, Administrators, or Assigns, shall and will find or provide for all and every such Draught Bullocks, when ready for Muster at the Times and Places herein-before covenanted and agreed on, good and sufficient Bridles and Picket Ropes,

Ropes, and for the Carriage Bullocks a Pad Bridle and Picket Rope for each and every of them, agreeable to a certain Muster or Pattern for the same, which shall be approved of by the commanding Officer of Artillery for the Time being: And the said Charles Croftes doth hereby, for himself, his Heirs, Executors, Administrators, and Assigns, further covenant, promise, and agree to and with the said United Company, their Successors and Assigns, that he the said Charles Croftes, his Executors, Administrators, and Assigns, shall and will, during such Term of Five Years as aforesaid, well and truly find and provide for all and every the Camels now kept, or to be hereafter kept, during the Continuance of these Presents, by the said United Company, or their Military Establishment within the Provinces of Bengal, Behar, or Orissa, or without the said Provinces, * whenever the said Army, or any Detachment therefrom, may chance to be, with good, sufficient, and proper Food and Provender, and also with a proper Number of Servants to attend upon, and to take due Care of such Camels, and all and every of them, so that no further Expence shall arise or accrue to the said United Company, their Successors or Assigns, on Account of the keeping and providing with Food such Camels, than what is agreed by the said United Company to be paid for the same, as herein-after is mentioned: And also, that he the said Charles Croftes, his Executors, Administrators and Assigns, shall and will well and truly sustain, bear, and pay all Losses, Damages and Expences whatsoever, which shall or may accrue or happen during the Continuance of these Presents, as well to the said Bullocks as to the said Camels, which shall be the Property of the said Charles Croftes, his Executors, Administrators, or Assigns, whether the same shall happen and arise from the Attack of Enemies, or from the Death of any or either of the said Bullocks or Camels, or from any other Cause whatever, save and except as herein-after is excepted, so that the said United Company shall not suffer, sustain, or be put to any other Charge or Expence whatever for the feeding of Camels, and the supplying and feeding of Bullocks for the Use of their Army in Manner afore-mentioned, other than the several Sums of Money herein-after agreed to be paid by them to the said Charles Croftes for the same: Provided always, that in case any Losses or Loss of the said Bullocks, or any or either of them, shall happen by Death, occasioned from forced and extraordinary Marches (such forced March to be considered and taken to be any One March exceeding Eight Coss in the Space of Twenty-four Hours), or by the overloading the same Bullocks, or any of them, or the compelling them, or any or either of them, to carry, at any one Time, any Weight or Burthen exceeding One hundred and sixty Pounds; then the same Bullocks or Bullock, which may happen to be killed by such Means, shall be replaced at the proper Costs and Charges of the said United Company, their Successors or Assigns: And the said Charles Croftes, his Executors, Administrators, or Assigns, shall and will, on Notice in Writing given to the said Charles Croftes, his Executors, Administrators, or Assigns, requiring the same, well and truly find and provide other fit and proper Bullocks in the Place or Stead of all such as shall or may happen to be killed, or which may at any Time be stolen or taken away by the Enemy, within the respective Times herein-after for that Purpose mentioned, and according to the Number which may be wanted on any such Occasions, under and subject to the Payment of the several Penalties herein-after for that Purpose expressed and agreed upon, in Default of the same Bullocks, or any or either of them, being so found or provided; that is to say, That he the said Charles Croftes shall and will find and provide any Number of Bullocks, not exceeding Twelve, in the Space of Six Hours from the Time of such Notice being delivered to him the said Charles Croftes, his Executors, Administrators, or Assigns, or his or their certain Deputy, and shall and will find and provide Twenty-four Bullocks within the Space of Twelve Hours; and shall and will find and provide any Number of Bullocks, within Forty, in the Space of Two Days from the Time of the Delivery of such Notice, Sixty Bullocks in Four Days, One hundred Bullocks in the Space of Six Days, and Two hundred Bullocks in the Space of Eight Days: And in case of any Failure or Default to be made by the said Charles Croftes, his Executors, Administrators, or Assigns, in the finding and providing other fit and proper Bullocks in the Place or Stead of all such as shall or may be killed, stolen, or taken away, and on such Requisitions as aforesaid, he the said Charles Croftes, his Executors, Administrators, and Assigns, shall and will well and truly pay, or cause to be paid, to the said United Company, their Successors or Assigns, a Penalty or Forfeiture of Sixteen Rupees for each and every Bullock which shall be wanting and deficient to complete and make up the Number of Bullocks so to be required in Manner aforementioned. And also, that he the said Charles Croftes, his Executors, Administrators, and Assigns, shall and will, during the Continuance of these Presents, furnish and provide, and keep in good and sufficient Repair, Six Breaking-in Carriages to each respective Brigade of the Troops of the said United Company, for the Purpose of training and maintaining in due Exercise, Order, and Readiness for Service, the Draught and Carriage Bullocks, so to be provided as aforesaid. And also, that he the said Charles Croftes, his Executors or Administrators, shall not, nor will at any Time during the Continuance of these Presents, for the Purpose of fulfilling the Conditions or Agreements in these Presents contained, or any or either of them, either directly or indirectly, hire from or employ any Bullocks or Camels whatsoever, which shall or may be the Property of, or belonging to, any Officer Civil or Military, in the Service of the said United Company; and that in case any Bullocks or Bullock, Camels or Camel, belonging to any such Officer, shall be so hired or employed, then that he the said Charles Croftes, his Executors, Administrators, and Assigns, shall, on Proof thereof before the said Governor General and Council, well and truly pay, or cause to

* Sic in Orig.

be paid, to the said United Company, for every Bullock or Camel so employed, a Penalty or Sum of Fifty Sicca Rupees: And also that he the said Charles Croftes, his Executors, Administrators, and Assigns, for the Purpose of properly fulfilling this Contract, and the several Conditions and Agreements herein contained, shall and will, at his and their own proper Costs and Charges, at all Times during the Continuance of these Presents, keep a capable and sufficient Deputy with every Detachment of the Troops of the said United Company, to answer the Demands, and obey the Directions and Orders of the Commanding Officer of such Detachments respectively, and to perform the Covenants and Conditions herein-before contained, on the Part and Behalf of the said Charles Croftes to be done and performed; which Deputy and Deputies are respectively to be first approved by the Governor General, for the Time being, of the said Presidency, and every such Deputy shall, before entering on the Service and Duty aforesaid, give such reasonable Security as shall be required by the said Governor General, not to engage in any other Trade or Business whatsoever than that of the said Charles Croftes respecting the Matters herein-before contained. And the said United Company, for the Considerations aforesaid, for themselves, their Successors and Assigns, do hereby covenant, promise, and agree, to and with the said Charles Croftes, his Executors, Administrators, and Assigns, that they the said United Company, their Successors and Assigns, shall and will, for and during the said Space or Term of Five Years from the Day of the Date of these Presents, well and truly pay, or cause to be paid, unto the said Charles Croftes, his Executors, Administrators, or Assigns, for the said several Number or Complements of Four thousand Draught and Two thousand and seven hundred Carriage Bullocks, the Drivers and Sirdars to keep and attend the same, and for the Care, Management, and Feeding of the said Bullocks, and for the furnishing and providing the same with Pads, Picket, and Ropes as aforementioned, at and after the several Rates and Prices herein-after mentioned and set forth; that is to say, For every Sirdar or Head Man at and after the Rate of Six Sicca Rupees for each and every Month of the Term aforesaid, and for every common Driver mulstered with the Dress and Accoutrements as herein-before more particularly described, at and after the Rate of Five Sicca Rupees for each and every Calendar Month of the Term aforesaid; for an Allowance of Three Seer of Gram $\frac{1}{2}$ Dism to each Bullock, whether Draught or Carriage, making the Amount of Two Maunds and Ten Seers for every Bullock $\frac{1}{2}$ Month, at and after the Rate or Price of One Rupee for every Twenty-four Seer, making an Allowance for each Bullock $\frac{1}{2}$ Menssem of Sicca Rupees Three and Twelve Annas; and for every Seer of Gram which shall be ordered and given on marching Days, beyond the usual Allowance of Food, by Order of the Commanding Officer as herein-before set forth, at and after the same Rate of One Sicca Rupee * for every Twenty-four Seer; and for Picket Ropes and † Picket Ropes and Pads, so to be provided to all and every such Draught and Carriage Bullocks in Manner aforementioned, at and after the Rate of One Sicca Rupee $\frac{1}{2}$ Month for each respective Bullock, whether Draught or Carriage, during the Term aforesaid: And as a Compensation for the Use and Hire, and of the same Bullocks, and for all Damages which the said Charles Croftes, his Executors, Administrators, or Assigns, shall and may be liable and subject to from the Death of the said Bullocks, otherwise than from any forced Marches or overloading as aforesaid, at and after the Rate of One Sicca Rupee $\frac{1}{2}$ Month, making together in the Whole an Allowance of Five Sicca Rupees and Twelve Annas, to be paid for every Bullock so to be employed as herein-before mentioned, exclusive of the Wages allowed to the Drivers and Sirdars as above-mentioned: And also shall and will repay to the said Charles Croftes, his Executors, Administrators, or Assigns, all such Costs and Charges whatsoever as shall or may accrue from the Death of any Bullock killed or dying either from overloading or from any forced Marches as herein-before mentioned; and also shall and will well and truly pay, or cause to be paid, to the said Charles Croftes, his Executors, Administrators, or Assigns, for his Care and Management, and for the keeping and providing with Servants, as herein-before is mentioned, the Camels to be employed in the Service of the Army of the said United Company, wherever the Army or Troops of the said United Company may be during such Time as aforesaid, the several Sums of Money following; that is to say, for all and every the Camel and Camels which shall be the Property of, and belonging to, the said United Company, the Sum of Sonaut Rupees Sixteen $\frac{1}{2}$ Menssem; and for each and every such Camel and Camels which shall or may be the Property of, and belonging to, him the said Charles Croftes, his Executors or Administrators, and which shall or may at any Time, during such Space of Years aforesaid, be employed by the said United Company for the Service of the Army or Troops aforesaid, the Sum of Sonaut Rupees Thirty $\frac{1}{2}$ Menssem: And the said United Company do also covenant, promise, and agree to pay to the said Charles Croftes, his Executors, Administrators, or Assigns, yearly, the Sum of Sicca Rupees Three hundred for each Breaking-in Carriage so to be furnished and provided by the said Charles Croftes as herein-before is for that Purpose mentioned: And further, that they the said United Company, their Successors or Assigns, shall and will well and truly pay, or cause to be paid, to the said Charles Croftes, his Executors, Administrators, or Assigns, all such Sum and Sums of Money so to become due and owing as herein-before is mentioned, immediately on the Bill or Bills for the same being presented to the Military Paymaster of the said United Company, provided that such Bill or Bills be first signed by the Commanding Officer of Artillery, and be countersigned by the Commanding Officer of the Troops or Station to which the Bullocks or Camels, for whom such Pay shall be drawn, shall be attached, if such last-mentioned

* Sic in Orig.

† Sic in Orig.

Officer

Officer shall be of superior Rank to the Commanding Officer of Artillery, and not otherwise, and also be certified by such Officers passing and allowing the same Bills and Bill as justly due, according to the Terms of these Presents, within Four Days after the Muster of such Bullocks and Camels, which Bills, when certified as aforesaid, shall pass as Vouchers through the Office of the Commissary General for the Time being, within the Space of Eight Days, and the Amount that shall be thereupon certified to be due shall be paid by the Military Paymaster of the said United Company for the Time being, or his Deputy, on the Presentment of the same as herein-before mentioned: And for the greater Convenience of the said Charles Croftes, his Executors, Administrators, and Assigns, it is hereby declared and agreed, that all such Bills so certified in Manner aforesaid, shall be paid or discharged, either at the Place or Places respectively where the same shall become due, or at the Presidency of Fort William, at the Will and Option of him the said Charles Croftes, his Executors, Administrators, and Assigns: And further, that they the said United Company, their Successors or Assigns, shall and will, from Time to Time, and at all Times during the Continuance of these Presents, immediately on Application being made for the same, well and truly furnish and provide the said Charles Croftes, his Executors, Administrators, or Assigns, with all and every such and so many good and sufficient Escort and Escorts as may be necessary for conveying in Safety the said Bullocks and Camels to and from the Army, or to and from any Detachment thereof, as Occasions may require; and when at or with such Army or Detachment, shall and will find and provide for the same Bullocks and Camels such Safeguards as the Strength of such Army or Detachment will admit and allow of, the same to be judged of by the Commanding Officer of such Army or Detachment; and also shall and will find and provide all such sufficient Escort and Escorts as may be necessary to attend and safely to convey to the said Army, or any Detachment thereof, all Bullocks or Carriages loaded with Grain for the Use of the Draught and Carriage Bullocks, so to be employed in the Service of the Army as aforesaid, all which Carriage Bullocks, so to be loaded with Grain, shall be allowed and permitted to attend and accompany the said Army, or any Detachment thereof, and be furnished, in case of Danger, with sufficient Safeguards to take Care of and defend them: And the said United Company, for themselves, their Successors and Assigns, do further covenant, promise, and agree to and with the said Charles Croftes, his Executors, Administrators, and Assigns, that they the said United Company, the better to enable the said Charles Croftes to purchase and provide proper and sufficient Stock of Cattle for the Purpose of fully performing the Covenants and Agreements on his Part herein-before contained, shall and will well and truly lend and advance to the said Charles Croftes, from the Treasury of the said United Company (on his requiring the same), any Sum or Sums of Money not exceeding in the Whole the Amount of Three Fourths of the Value of the Stock so to be provided by the said Charles Croftes as herein-before mentioned; he the said Charles Croftes previously giving good and sufficient Security to the said United Company, to the Satisfaction and good liking of the Governor General and Council of the Presidency of Fort William for the Time being, faithfully to account for all and every such Sum or Sums of Money so to be advanced to him as aforesaid, and to permit and suffer the same Sums of Money to be deducted and retained by the said United Company, their Successors and Assigns, out of such the Payments to be made by the said United Company in pursuance of the Covenant herein-before on their Part and Behalf contained: And that they the said United Company shall and will grant to the said Charles Croftes, his Executors, Administrators, and Assigns, a good and sufficient Spot or Piece of Ground, at some Place within the Distance of Fifteen Miles of the Presidency of Fort William aforesaid, not exceeding in Quantity Two thousand Begahs, whereon to feed and keep or depasture such Cattle as Occasions shall require; and shall and will seal and execute to the said Charles Croftes, his Executors, Administrators, and Assigns, a Lease or Grant of the same Spot * or Ground during the said Term of Five Years. And it is hereby further covenanted and agreed, by and between the Parties to these Presents, that if at any Time, during the Continuance of these Presents, the Urgency of Affairs should require a further or greater Number of Draught and Carriage Bullocks for the immediate Use of the Army, or any Detachment thereof, than those already engaged to be supplied as aforesaid, then that he the said Charles Croftes, his Executors, Administrators, or Assigns, shall and will find and provide the same, within such Times as are herein-after for that Purpose mentioned, after Notice, in Writing, delivered to the said Charles Croftes, his Executors, Administrators, Deputy, or Assigns, of the Want thereof; that is to say, That he the said Charles Croftes, his Executors, Administrators, or Assigns, shall and will find and provide any such additional Number of Bullocks, good and sufficient and capable of the Duty aforesaid, not exceeding Two hundred, within the Space of Six Weeks; any Number not exceeding Five hundred, within the Space of Two Months; any Number not exceeding Eight hundred, within the Space of Three Months; and any Number not exceeding One thousand and six hundred, within the Space of Four Months: And in case of Default or Neglect in the Provision and Supply of such extra Number of Bullocks, or any or either of them, to be required as aforesaid, and within such Times as aforesaid, that he the said Charles Croftes, his Executors, Administrators, and Assigns, shall and will forfeit and pay to the said United Company, their Successors or Assigns, a Penalty at and after the Rate of Sixteen Sicca Rupees for each and every Bullock so to be required, and which shall not be found and provided: And for every extra Bullock so to be found and provided by the said Charles Croftes, his Executors, Administrators, or Assigns, as last aforesaid, he the said Charles Croftes, his

* Sic in Orig.

his Executors, Administrators, and Assigns, on Approval thereof as hereinafter mentioned, shall have and receive from the said United Company, their Successors or Assigns, a Bounty or * Gratitude of Ten Sicca Rupees for every such extra Bullock, which extra Bullocks when provided are to be subject to the same Regulation, Inspection, and Power of Rejection, as the said Four thousand Draught and Two thousand and seven hundred Carriage Bullocks herein-before covenanted to be found and provided, and examined and rejected or approved, as herein-before are for those respective Purposes set forth. And it is further covenanted, declared, and agreed, by and between the said Parties to these Presents, that for the Purpose of keeping and preserving in good Order and Exercise, and fit for immediate Use, all such Bullocks as aforesaid the same Draught and Carriage Bullocks to each Brigade belonging, and when not on Service (standing Camps not excepted) shall twice every Week perform the following Work; that is to say, the Draught Bullocks, with the Carriages loaded as in Service, attended by their Drivers and Sirdars, and the Carriage Bullocks, loaded with their stipulated Burthens, shall march or be worked the Distance of Six Cois, or Twelve English Miles; the same to be done within Eight Hrs, in dry Season, from the Month of December to the First Day of June in each Year, and thence March within the Space of Ten Hours in the rainy Season; the same Work to be performed under the Inspection of some One Commissioned Officer of the Artillery, to be appointed by the Commanding Officer for the Time being, which Officer shall, from Time to Time, report to the Commanding Officer the Performance of the Bullocks in such aforesaid Marches, and who shall hereupon, in the Monthly Review Roll of the Army, insert such Report, with such Remark or Remarks as he shall judge necessary for the Information of the Commissary General for the Time being, the more effectually to enable him, such Commissary General, to controul the Bills and Charges to arise or be due and payable on Account of these Presents. And it is hereby further covenanted, declared, and agreed, by and between the said Parties to these Presents, that in case any of the Bullocks so provided shall be found unable and insufficient to perform the March or Marches aforesaid, that only Half the Pay and Allowance shall be paid to the Contractor for such unable and insufficient Bullocks, although such Bullocks shall or may be of the Age, Size, and Standard herein-before stipulated and agreed on. And it is further declared and agreed, that in case of any Difference or Dispute, touching or in anywise concerning the Sufficiency and Ability of any Bullock or Bullocks to perform such March or Marches aforesaid, that the same shall be finally determined by the Judgement of the Majority of the Three several Persons herein-before mentioned to be appointed as Inspectors of the same Bullocks, by which each Party shall finally abide. Provide nevertheless, that nothing herein-before contained in anywise respecting such Marches, so to be performed for the Work and Exercise of the Bullocks, shall take Place or be enforced till after the Expiration of Nine Months from the Day of the Date of these Presents; it being the full Intent and Meaning of these Presents, and the Parties to the same, that although the said Charles Croftes, his Executors, Administrators, or Assigns, shall be allowed the said Space of Nine Months to train and exercise the same Bullocks for their respective Labours aforesaid †: Provided also, and it is hereby declared and agreed by and between the said Parties to these Presents, that in case the said United Company, their Successors or Assigns, shall, at the Expiration of Eighteen Months from the Date of these Presents, be minded or desirous to reduce the said Complement or Number of Four thousand Draught and Two thousand and seven hundred Carriage Bullocks, to any reduced or inferior Number, that then and in such Case it shall and may be lawful to and for the said United Company, their Successors or Assigns, so to reduce the same, giving Six Months Notice, in Writing, to him the said Charles Croftes, his Executors, Administrators, or Assigns, of such Intention, specifying also in such Notice the Number of Bullocks to be dismissed and discharged; at the Expiration of which Six Months, such Reduction shall or may take Place, and not sooner: And in case the said United Company, their Successors or Assigns, shall reduce such aforesaid Complement of Four thousand Draught and Two thousand and seven hundred Carriage Bullocks in Manner aforementioned, that then and in such Case the said United Company, their Successors or Assigns, shall and will well and truly pay, or cause to be paid, to the said Charles Croftes, his Executors, Administrators, or Assigns, for each and every Bullock which shall be so dismissed as aforesaid, a Compensation or Gratuity of Thirteen Siccas Rupees for each and every Year which shall remain unexpired of the Term of these Presents, and for which Period such Bullock or Bullocks would have been employed, and retained by virtue hereof, had no such Reduction as aforesaid been made, the Sum or Sums of Money so to become due and owing to be paid to the said Charles Croftes, his Executors, Administrators, or Assigns, when and as soon as such Reduction shall take Place in Manner aforementioned, the same to be considered and received by the said Charles Croftes, his Executors, Administrators, or Assigns, as a full and entire Compensation for all Losses which he or they may bear or suffer by the 'superfluous Stock which will remain on his or their Hands in Consequence of such Reduction, and as well as of all Damages which he or they shall or may sustain or suffer by Reason thereof in any Manner of § wise. Provided also, and it is hereby further declared and agreed, by and between the said Parties to these Presents, that it shall and may be lawful to and for the said United Company, their Successors and Assigns, to lengthen and extend these Presents, and the Agreements herein contained, during the Term of One Year beyond the Term of Five Years herein-before mentioned and expressed for the Limitation hereof, in case the said United Company, their Successors or Assigns, shall be minded or desirous

* Sic in Orig.

† Sic in Orig.

‡ Sic in Orig.

§ Sic in Orig.

desirous to do, on One Year's Notice, in Writing, being for that Purpose given by the said Governor General and Council, on the Part of the said United Company, their Successors or Assigns, to the said Charles Croftes, his Executors, Administrators, or Assigns; but it is hereby declared and agreed, that they the said United Company, their Successors and Assigns, shall, on or before the Expiration of Four Years from the Day of the Date of these Presents, give Notice or some Declaration in Writing, to the said Charles Croftes, his Executors, Administrators, or Assigns, whether they mean and intend to lengthen and extend the same Contract or not; and in case no such Notice, as last aforesaid, shall be given to the said Charles Croftes, his Executors, Administrators, or Assigns, by or on the Part of the said United Company, their Successors or Assigns, of their Intention not to lengthen and extend the Term of the said Contract, but that the same shall cease and determine at the Expiration of the Term herein-before limited, then, and in that Case, it is hereby declared and agreed, that these Presents, and all and singular the Covenants, Conditions, Articles, and Agreements herein-before mentioned and contained, on the respective Parts and Behalves of the said United Company, their Successors and Assigns, and the said Charles Croftes, his Executors, Administrators, and Assigns, shall and are hereby declared and agreed to be extended, lengthened, and continued for the Space of One Year beyond the Term of Five Years herein-before limited; (that is to say) From the Day of the Date of these Presents unto the First Day of September, which will be in the Year of our Lord One thousand seven hundred and eighty-five, subject to all and singular the Covenants, Provisoes, Clauses, and Agreements herein contained, in like Manner as if these Presents had been originally made for the Space and Term of Six Years, instead of the Term of Five Years; and they the said Parties to these Presents do hereby promise and agree, with the others and other of them, in case no such Notice as last aforesaid shall be given, that they the said Parties shall and will, on their and each of their respective Parts and Behalves, well and truly observe, perform, and keep all and singular the Covenants, Clauses, Conditions, and Agreements herein-before contained on their respective Parts and Behalves to be observed, performed, and kept, during such further and extended Term of One Year, as fully and amply as if the same had been originally made for such Term of Six Years. And the said Charles Croftes, for himself, his Heirs, Executors, and Administrators, doth further covenant, promise, and agree, to and with the said United Company, their Successors or Assigns, that he the said Charles Croftes, his Executors, Administrators, or Assigns, shall and will, at the Expiration of these Presents, well and truly deliver over to any succeeding Contractor, or to any other Person or Persons whom the said United Company, or the Governor General and Council of the Presidency aforesaid, for the Time being, shall appoint for receiving the same, all and every the Camel and Camels which shall be the Property of, or belonging to, the said United Company, and which at such Time as aforesaid happen to be in the Custody or Power of him the said Charles Croftes, his Executors, Administrators, or Assigns.

" In Witness whereof the Honourable Warren Hastings, as Governor General; Richard Barwell, Philip Francis, and Edward Wheler, Esquires, and Lieutenant General Sir Eyre Coote, Knight of the most Honourable Order of the Bath, as Counsellors of the Presidency of Fort William aforesaid, have signed their Names, and set the Common Seal of the said United Company to One Part of these Articles remaining with the said Charles Croftes, and to the other Part thereof, remaining with the said United Company, the said Charles Croftes has set his Hand and Seal, the Day and Year first above written.

" Scaled and delivered, where no Stamps
are in Use or to be had, in the
Presence of

(Signed)

" Charles Croftes. (a)

(Signed) { " Isaac Baugh,
" Tho' Ivory."

The Managers for the Commons stated, they should next read Part of a Letter from the Court of Directors, to shew their Sentiments upon this Contract.

Read, from Book 431, already delivered in, the following Extract of a Letter from the Court of Directors to the Governor General and Council, at Fort William in Bengal, dated London, 11th April 1781; beginning at Paragraph 42 of the same.

42. " The next Article of General Coote's Plan, which we shall notice, is intituled, Emendations for the Bullock Contract.

Pullock Contract.

43. " We observe, that in July 1779, when the General's Emendations were proposed to the Board, nearly Eighteen Months were unexpired of the then subsisting Contract, which had been

Inspection, 8th Jan. 1778, Fol. 83. concluded for Three Years, commencing the 1st of January 1778, and expiring the 1st of January 1781.

44. " When the General introduced the Subject to the Board, he observed, that the Remarks offered by General Stibbert, in his Letter of the 22d of August 1778, respecting the State of the Draught and Carriage Bullocks, required immediate Attention; and upon that Letter the present Measure seems to have originated; but to our great Disappointment, we find no such Letter on your Records. You have minuted on Consultation the 26th August, ' Read a Letter from General Stibbert as follows; ' and several blank Pages are left for the Letter, but it is not entered.

45. " General Coote remarks, that being in a State of actual War, it was unnecessary to set forth the indispensable Necessity of having the Draught and Carriage Bullock Trains put in the best Order possible, because the Success of every Operation in War depends so very particularly on the good or bad Condition of the Artillery Trains; and in this Opinion we concur with the General.

46. " We observe General Stibbert, in his Letter of the 6th of April, repeats his Representation of the Necessity of coming to some speedy Resolution for having the Army better supplied with Bullocks in very strong Terms; and we also find, that he had ventured, in some Degree, to anticipate that Part of your Regulation respecting the stipulated daily Allowance of Food for the Bullocks.

47. " The Number of Bullocks to be entertained by the Terms of the Contract, the Compensation to be made in case of Reduction, the advanced Price for Provision and Feeding, and the Term for which the Contract is extended, are Objects which demand our Consideration. We shall state the principal Facts on your Records, and then proceed to give our Sentiments and Instructions on the Points above-mentioned.

48. " On your Military Consultations of the 3d August 1779, we find the Number of Draught Bullocks to attend One Brigade in the Field, upon the Establishment proposed by General Coote, is stated at — — — — — 789 } Spare Bullocks included.

The Carriage Bullocks, at — — — — — 569 }

Suppose Two more Brigades to be — — — — — 1,358
2,716

According to this Establishment, the Total for Three Brigades in the Field should be — — — — — 4,074

The Draught Bullocks to be provided by the new Contract are — — — — — 4,000
And the Carriage Bullocks — — — — — 2,700

The Total is — — — — — 6,700

49. " The Excess, above the Number established by the General, to be attached to the Three Brigades, is 2,626.

50. " There appears to us an Inconsistency in this Part of your Plan, for which we cannot account; you have but Three Brigades; you have provided for a full Establishment of Bullocks for each Brigade; you have added One to every Six as spare Bullocks: The Whole amounts to no more than 4,074; but you have contracted for 6,700 Bullocks to be kept in Pay, which is 2,626 more than the Service requires.

51. " In the new Contract, we observe, proper Regulations are formed for preventing the Admission of bad Bullocks into the Service; also to oblige the Contractor, under a Penalty, to feed the Bullocks with a certain Quantity of Food $\frac{7}{8}$ Day, and to provide a stipulated Number of Drivers and Overseers to attend them on Service.

Inspection, 2d Sept. 1779, Folio 52. 52. " We find the Number and Monthly Expence of Bullocks with the Army in September 1779 thus stated on your Proceedings; viz.

Draught without the Provinces	1,280 at 5	0 Rupees $\frac{7}{8}$ Month	6,400	—
D° within the Provinces	1,161 at 3	7 D°	3,990	15
Carriage without the Provinces	612 at 3	10 D°	2,218	8
D° within the Provinces	564 at 3	3 D°	1,797	12
Total Number	3,617	Am ^t $\frac{7}{8}$ Month S ^r R ^r	14,406	3
		Or Sicca R ^r	—	13,786 3

53. " By the new Contract, no Distinction is made between Draught and Carriage Bullocks, nor between those stationed within and without the Provinces; but as it had been the universal Custom

Custom to make a considerable Difference in the Charge, we can by no Means approve that Part of your Regulation, unless the general Average had been reduced on that Account.

54. " The Expence of your Establishment is stated as follows ; viz.

	N ^o		Sicca R ^s			
Bullocks	6,700	at	5 12	—	—	38,525
Drivers	3,350	at	5 —	—	—	16,750
Sirdars	559	at	6 —	—	—	3,354
						<hr/>
			Sicca Rupees	—		58,629

Inspection, 2d
September
1779, Folio
523.

55. " The Difference or Excess $\frac{7}{8}$ Month, compared with the then subsisting Contract, is stated on your Proceedings at Rupees 44,842 13 ; and the Total Expence at Current Rupees 8,16,120 $\frac{7}{8}$ Annum.

56. " It rests with you to prove that the Service is benefited in Proportion ; otherwise the Measure must have our Condemnation.

57. " The late Contractor, Mr. E. A. Johnson, being dead, we find the Offer of the Contract was made to Mr. Richard Johnson, his Brother and Executor, and immediately accepted ; but his late Brother's Share having been already transferred to Mr. Charles Croftes, and Mr. Croftes having been a Partner in the subsisting Bullock and Victualling Contract, Mr. Johnson requested that both the new Contracts might be made out in the Name of Mr. Croftes, which was done accordingly.

Inspection,
19th August
1779, Folio
281.

58. " We remark, that in the Agreement of 1777, any Number of the Contractor's Bullocks might be discharged, upon giving One Month's Notice to the Contractor ; but by the Emendation proposed in July 1779, the whole Number of 6,700 Bullocks were to be kept in Pay during the Time of the Contract : But we observe, that on the 26th of August 1779, when your Secretary laid before the Board the Articles of Agreement which had been prepared by the Company's Attorney, the Governor General proposed an additional Clause to the following Effect : That it should be lawful for the Governor General and Council, after the Expiration of Eighteen Months, to reduce any Part of the Establishment of Bullocks, upon Six Months Notice ; that for every reduced Bullock, a Sum equal to Thirteen Rupees $\frac{7}{8}$ Annum should be paid to the Contractor, during the Remainder of the unexpired Term of the Contract ; and if additional Bullocks should be wanted, a Bounty of Ten Sicca Rupees $\frac{7}{8}$ Head, over and above the Rates allowed for providing and feeding 6,700 Bullocks, must be paid to the Contractor, which additional Clause was agreed to by the Board.

Inspection,
8th Jan. 1778,
Folio 86.
Vide 16 Article.
Inspection, 2d
Sept. 1779,
Folio 499.
504.
527.
506.

Inspection,
16th Sept.
1779, Folio
672.

59. " We find the Company are obliged to advance and lend to the Contractor any Sum of Money not exceeding Three Fourths of the Value of the Stock to be provided ; also to grant him a good and convenient Spot of Ground within Fifteen Miles of Fort William, not exceeding 2,000 Begahs, whereon to feed and depasture his Cattle. On which we remark, that Three Fourths of the Amount of the Stock, appears to us an unreasonable Advance ; and that the Indulgence of so large a Sum, and of Land for the Use of the Cattle, ought to have reduced the regular Price of providing and feeding to the most moderate Bounds.

670.

671.

60. " From the foregoing Facts, the following Observations occur ; viz.

" First, That as the Number of Bullocks stated by General Coote, as necessary for the Draught and Carriage Trains, after adding One spare Bullock to every Six to be employed, amounted to no more than 4,074 for Three Brigades ; the surplus Number of 2,626 appears to us totally unnecessary ; and therefore, unless it shall appear that we have mistated your Propositions, or totally mistaken your Intentions, the said 2,626 Bullocks, if already entertained, must be discharged immediately, as they cannot be paid for by the Company.

" Second, The Compensation agreed to be made to the Contractor for Bullocks which may be discharged, appears to us excessive and unreasonable, and therefore ought not to be paid by the Company, nor any Part thereof exceeding the real Difference between the prime Cost and the Amount for which such supernumerary Bullocks may be sold by the Contractor.

" Third, If the Contractor shall refuse to discharge the surplus Bullocks, without being paid the full Compensation stipulated, they must nevertheless be discharged, and you must be responsible for the Damage sustained by the Company.

" Fourth, Upon the most impartial Consideration of all the Materials before us, we candidly allow your System for the Provision of Cattle for the Service of the Trains to have been excellent, provided you had advertized for Proposals, and thereby ascertained the lowest Terms procurable, with good Security for Performance of the Contract.

" But the Offer made to the Contractor for Five Years, without advertizing for Proposals, appears to us very improper.

" Fifth, We are nevertheless of Opinion, that provided the Terms were reasonable, it might not, for the most obvious Reasons, be for the Good of the Service, in Time of War, to renew the Bullock Contract every Year.

61. " We therefore direct, that in future no greater Number of Draught or Carriage Bullocks be entertained, to be paid for by the Company, than shall be necessary for the Service ; that the Terms

Terms of the Contract be always advertized, One Year at least before the Expiration of the subsisting Contract; that the lowest Terms, with good Security for Performance, be accepted; and that no Contract for Bullocks be, on any Account, concluded for a longer Term than Three Years.

(Signed, at the End of the Letter,)

" London,
" the 11th April 1781.

" Tho ^r Cheap,	W. Devaynes,
L. Darell jun ^r ,	L. Sullivan,
J. Stables,	Jn. Woodhouse,
Nath ^l Smith,	Jn ^o Michie,
Jn. Townson,	W ^m James,
W. G. Freeman,	John Roberts,
John Harrison,	Fran. Baring,
Cha ^r Boddam,	Ja ^r Moffatt."

The Managers for the Commons informed the House, they should next produce a Letter from the Court of Directors, which arrived immediately after the Signature of this last Contract, condemning the former One with Mr. Johnson; and then read a Part of Mr. Hastings's Answer to that Letter, to shew that, instead of obeying the Orders contained in it, he pretended to mistake them, and did another Thing quite the Reverse.

Read, from Book 221, already delivered in, the following Extract of a Letter from the Court of Directors to the Governor General and Council at Fort William, Bengal, dated London, 23d Dec. 1778, beginning at Page 569 of the same Book.

95. " In the 134th Paragraph of the Company's General Letter, dated the 23d March 1770, the President and Council were positively directed not to fail, every Year, to advertize for and receive such Proposals as might be offered for supplying the Troops with Provisions, and for feeding Draught and Carriage Bullocks to be employed with the Army; and that, in all Cases, those Proposals which should appear lowest in Point of Charge should be accepted. They were also to take Care, that in all Advertizements a sufficient Time should be allowed for Candidates to prepare Proposals, before the Expiration of the subsisting Contract, and before the Time limited for receiving them; and in the 39th Article of your General Instructions, dated the 29th of March 1774, you were expressly directed, not only to attend strictly to the standing Orders of the Company, but to ' all such Orders and Instructions as the Court of Directors had transmitted to the Governor and Council or Select Committee at Fort William.'

96. " In September 1777, Mr. Johnson (who had held the Army Contract in 1775), gives in Proposals for providing and feeding Draught and Carriage Cattle, and for victualling the Europeans. Instead of proceeding according to the Court's Orders, and to the established Usage of the Service, you direct Mr. Johnson's Proposals to be compared with the Terms of the unexpired Contract, and by the Report of your Secretary, we find them correspond with the Terms of the said Contract, except in Two Particulars; namely, that Mr. Johnson demanded an additional Sum of One Rupee $\frac{1}{2}$ Month for feeding Camels not on actual Service, and Fifteen Rupees $\frac{1}{2}$ Month for every Camel which should be his own Property, though no such Stipulation had been made by the Contractor in the then subsisting Contract.

97. " Admitting, as we do, that the Increase of Charge to the Company was inconsiderable, your Proceedings were nevertheless totally irregular, and your Acceptance of Mr. Johnson's Offers was in many Points of View a most deliberate Breach of your Duty; you have extended a Contract for Three Years, which was positively ordered to be annual; you have refused to advertize for Proposals, though expressly commanded by the Court of Directors; and you have concluded this Contract for Three Years, upon Terms less advantageous than the preceding Contract, and therefore not upon the lowest Terms procurable.

98. " The Person who then held the Contract had just petitioned you for an Extension of his Term, and expressed his Hope of holding the Contract for Three Years. He also signified a Wish to be allowed Half Price for discharged Bullocks, and Prime Cost for extra Bullocks procured during the March of the Army; which Regulations were not in his former Contract.

99. " With these Materials before you, the Question is put, Whether the Contractor's Terms, or the Proposals of Mr. Johnson, shall be accepted? Mr. Francis, in strict Conformity with the Company's Orders, and according to established Usage, was of Opinion, that the Contract should be advertized. Mr. Barwell thought the present Contractor had (the preceding Year), by making low Proposals (to use his own Phrase), ejected Mr. Johnson, in hopes of obtaining future Indulgence, and therefore he could not hesitate to give his Vote for Mr. Johnson.

100. " However strange Mr. Barwell's Motive for giving his Vote for Mr. Johnson may appear to us, we must confess, the Governor General's Reasons for concurring therein were still more extraordinary. His Words are, ' I disapprove of publishing for Proposals; the Contract is reduced ' too low already, and will require a vigilant Attention to it, on the Part of the Commanding Officer of the Corps of the Army, that it be duly performed.' To which he adds, that according

to the best Information he had been able to obtain, little Profit would be made by the Contractor if he did his Duty.

101. " But although the Governor General has thought proper to express so direct and pointed a Disapprobation of the Mode adopted and positively enjoined by the Company, for conducting so great a Branch of their Affairs as that of the Army Contract, we nevertheless adhere to the Propriety of the Court's Orders, and hereby renew the Injunction, that you fail not, every Year, Three Months at least before the Expiration of the subsisting Contract, to advertize for and receive such Proposals as may be offered for supplying the Troops with Provisions, and for feeding Bullocks and Camels to be employed with the Army, and that in all Cases you accept the lowest, with sufficient Security for Performance.

102. " If the present Contractor shall think proper to conform to this Regulation, and give in Proposals lower than those of any other Person, who shall offer good Security for Performance, he will be entitled to hold the Army Contract for another Year, or it may be to the End of his present Term; but on no other Conditions will we permit it. And if he shall think himself aggrieved, and take Measures in consequence, by which the Company becomes involved in Loss or Damage, we shall certainly hold the Majority of our Council responsible for such Loss or Damage, and proceed against them accordingly; but as One of the Members of your Board has very properly entered his Dissent to the Measure, he will of Course be exempted from Prosecution, and, in Justice to his Sentiments and Conduct on the Occasion, we hereby declare, that they have our entire Approbation.

103. " And we further direct, that the before-mentioned 134th Paragraph of the Court's General Letter on this Subject, dated the 23d of March 1770, be forthwith given out in General and Brigade Orders, and read at the Head of every Brigade and Detachment of our Troops in Bengal, by the respective Adjutants doing Duty with such Troops, Once in every Three Months at least; and likewise, that the Commander in Chief and Commandants of the said Corps, report to you every Month in what Manner the Troops are victualled, the Cattle fed, and, in general, how the Terms of the Contract are observed and fulfilled by the Contractor, so far as shall have come to his or their Knowledge, for your Information and Guidance in rectifying Abuses, if such shall hereafter occur in the carrying on of this important Service.

(Signed at the End of the Letter)

" J. Stables,	G. Wombwell,
John Smith,	W ^m James,
W. G. Freeman,	L. Sullivan,
W ^m . Mills jun ^r ,	Joseph Sparkes,
Ben. Booth,	Samuel Peach,
R. Hall,	H. Fletcher,
John Roberts,	Cha ^r Boddam,
Tho ^s Cheap,	Rob ^t Gregory."

The Managers for the Commons stated, that this Letter was received by the Barfleur, Two Days after the Execution of the Contract with Mr. Croftes.

Read from Book 25, already delivered in, the following Extract of a Letter from the Governor General and Council at Fort William in Bengal to the Court of Directors, dated Fort William, 14th January 1780, beginning at Page 28 of the same Book.

66. Your Orders, contained in your Letter of the 23d December 1778, respecting the various Contracts which we had entered into for the Execution of the Publick Service, have been notified, without Exception, to the different Contractors they alluded to, and each of the Parties was required to transmit his Answer to that Department of our Council in which his Engagements were concluded. Most of these come before the Board of Inspection, who will advise you of their Proceedings upon them.

67. The 103^d Paragraph of your Letter of the 23^d December 1778, has been published in General and Brigade Orders, according to your Directions, with the former Order to which it alludes * Officers in examining and reporting to us the Condition of the Cattle and Victuals provided by Contract for the Army; but we apprehend that you meant, in your Reference, to specify the 135th instead of the 134th Paragraph of your General Letter, dated 23^d March 1770. We have therefore made this Correction accordingly (a).

* Sic in Orig.

(Signed at the End of the Letter)

" Warren Hastings,
P. Francis,
Edw^d Wheler."

(a) Vide Appendix, N^o CXCIV.

The Managers for the Commons stated, they should next proceed to give in Evidence the Consultation in which a Reduction of the Bullocks is ordered by the Board, conformable to the Letter of the Court of Directors of the 11th of April 1781, already in Evidence (a), and particularly the Date of that Consultation.

Read, from Book 444, already delivered in, the following Extract of a Consultation of the 14th of May 1783, beginning at Page 272 of the same Book.

“ Fort William, the 14th May 1783.
“ At a Board of Inspection; Present,
Edward Wheler,
John M^cPherson, } Esquires.
and
John Stables,
The Honble the Gov^r. Gen^l. indisposed.

Minute of the Board re-
garding the
Reduction of
the Bullocks.

“ The Board having taken into Consideration the Bullock Contract, find, that from the Month of November to the Month of February 1384 extra Bullocks have been discharged, and that the Establishment was then left at — — — — 6700, viz^t.

“ In Bengal and its Dependencies	—	—	—	—	5540
“ At Madras	—	—	—	—	1160
“ In all	—	—	—	—	6700

* Sic in Orig.

And as it was their Intention to make a further Retrenchment as soon as the Cattle could be spared; they think it now necessary to reduce the Number to 4004, the Number restricted by the Court of Directors to be employed; and, with respect to the 1160, which are none * at Madras, as the Contractor draws for them agreeable to the Madras Regulation; the Board order that they be considered as separated from his Contract in the same Manner as the Cattle that went with the Bengal Detachment to Bombay, and that they be given up to his Agents at Madras.

“ It must be observed, that the Contractor is by his Contract intitled to Six Months Notice before the Cattle can be dismissed; but the Board direct that the Reduction here-before mentioned shall take Place from the First of next Month, as the Governor General acquaints them, that he signified to the Contractor their Intentions of reducing the Number of Cattle as soon as the Service would admit of such a Reduction, and that upon his informing him that it was now to take Place, the Contractor agreed to waive his Right to the Six Months official Notice, and has acquiesced to the Reduction taking Place on the 1st of May next.

April 17th. “ Agreed, That the necessary Orders be issued to the Bullock Contractor, Commander in Chief, Commissary and Paymaster General, and published in General Orders accordingly (b).”

(No Signature at the End of the Consultation.)

To prove that the Governor General and Council gave Notice to the Court of Directors, that Mr. Croftes had assigned his Contract to Mr. Fergusson,

Read, from Book 29, already delivered in, the following Extract of a Letter from the Governor General and Council at Fort William in Bengal to the Court of Directors, dated 29th November 1780, beginning at Page 106 of the same Book.

92. “ Mr. Charles Croftes has assigned over to Mr. John Fergusson his Contract for supplying the Army with Draft and Carriage Cattle, and also his Contract for victualling the European Troops on this Establishment. We directed Mr. Fergusson to be considered in all Respects as Contractor in the Room of Mr. Croftes.

(Signed at the End of the Letter) .
“ Warren Hastings,
“ Edw^d Wheler.”

The Managers for the Commons stated, they should next read a Passage from the Answer of the Defendant, delivered by him at the Bar, to the Fourth Article of Charge, admitting that he afterwards suffered this Contract to remain, although he had an Opportunity of putting an End to it by Notice.

(a) Vide supra, P. 1371. (b) Vide Appendix, N^o CXCV.

Read, the following Extract from the Answer to the Fourth Article.

" And the said Warren Hastings says, That the Attention of the Board not being immediately called to the Terms of the said Contract, the Period of Time at which previous Notice for the Determination of the same should have been given, was accidentally suffered to elapse; in Consequence whereof, the said Contract would, by virtue of the Clause herein-before mentioned, have continued for the Term of Six Years, that is to say, till the First of September One thousand seven hundred and eighty-five, which the said Warren Hastings admits would have been for a longer Time than the then Situation of the East India Company's Affairs in India required: But the said Warren Hastings says, that to prevent such Continuance, the said Warren Hastings did, on the Second February One thousand seven hundred and eighty-four, when, by the Restoration of Peace, a Reduction of the Military Establishment in Bengal had become practicable and safe, propose in Council, and a Majority of the Council did accordingly resolve to purchase an immediate Relinquishment of the Contract, and the same was accordingly purchased, after it had been held only Three Years and an Half, upon such Terms as to the Board appeared reasonable; and which the said Warren Hastings denies to have been extravagant or unreasonable, or that the East India Company did, by such Purchase, sustain great Loss and Damage (a)."

Then the House adjourned to the Chamber of Parliament.

(a) Vide supra, P. 1309.

Die Veneris, Maij 27° 1791.

THE Lords being in their Places, the House resumed, the usual Proclamations made, and the Defendant appearing at the Bar, the Lord Speaker informed the Managers for the Commons, they might proceed to make good their Charge.

The Managers for the Commons stated, they should proceed in proving that the Governor General and Council purchased from Mr. Ferguson the Relinquishment of his Interest in the Contract, which remained to run for a Year and a Half longer, in Consequence of their neglecting to give the Notice.

Read, from Book 432, already delivered in, the following Extract of a Consultation of the 11th March 1784, beginning at Page 223 of the same Book.

[“ Fort William, the 11th March 1784.

“ At a Board of Inspection; Present,
Edward Wheler, }
and } Esquires.
John Stables, }

The Honble. the Governor General on a Visit to the Northern Provinces.

Mr. Macpherson absent at Sea for the Recovery of his Health.

“ This Day the Secretary circulated, at the Desire of the Honble. the Governor General, Mr. John Ferguson's Letter of the 26th January last, with the Governor General's Minute thereon for this Day's Date, for the Opinion of the other Members of the Board.

“ To the Honble. Warren Hastings, Governor General, &c. Supreme Council.

“ Honble. Sir and Sirs,

“ In my Contract with the Honble. Company for supplying the Army with Bullocks and Camels, there is the following Clause: ‘ Provided also, that in case the Company shall, at the Expiration of Eighteen Months from the Commencement of the Contract, be desirous to reduce the Establishment, that the Company shall be empowered so to do, on giving Six Months Notice to the Contractor of such Intention, which Notice is to specify the Number of Bullocks to be dismissed or discharged; that in case the Company shall reduce such Establishment, that the Contractor shall be paid for every Bullock which shall be dismissed, a Gratuity of Thirteen Sicca Rupees for every Year which shall remain unexpired of the original Term of the Contract, and for which the Bullocks could have been retained had no such Reduction been made: That the Payment of this Gratuity shall be made on the Reductions taking Place. Provided also, that it shall be lawful to the Company to extend the Contract for the Term of One additional Year, on One Year's Notice being given to the Contractor before the Expiration of Four Years, whether they intend to lengthen and extend the Contract; and in case no Notice shall be given, that the Contract shall be continued for the Term of One additional Year beyond the original Term of Five Years.’ No Notice having been given me, I am ready to go on with the Contract for another Year, that is, from September 1784 to August 1785; but should it be more agreeable to your Honble. Board to close the Contract in September 1784, I will relinquish my Right of holding it for the Year 1784-5 on the following Conditions:

1st, That the Difference between the Price of Rum and Arrack be paid to me, agreeable to the Board's Resolution of the 23d August 1781, communicated to me by the Secretary in the following Words:

“ The Board are perfectly satisfied, that the Price of Rum must be greatly enhanced, ‘ and much dearer since Hostilities were commenced’ against the Dutch, and that it will cost you ‘ perhaps considerably more than Batavia Arrack’ used to do; but as it will be made in larger ‘ Quantities now than formerly, the Board are hopeful’ the Difference may not be very great in the End. ‘ However, whatever it may be, upon your certifying’ the same properly to the Board they will allow ‘ you the Difference that may arise on that Account.’ The Difference amounts, as per Certificate enclosed, to R^y 45,410.

2d, That my Stock be taken off my Hands by the Company at the following Valuations :

" 4,074 Bullocks, — — — — — at 30 S^r R^r ~~per~~ Bullock.
 " 142 Camels, — — — — — at 250 S^r R^r ~~per~~ Camel.
 " 18 Breaking-in Carriages, Six for each Brigade, at 800 S^r R^r each.
 " Buildings for Cattle near Calcutta; and the other Stations, at 50,000.

" These Prices will, I hope, appear reasonable to your Honble. Board, when I can with Propriety assure you, that I have frequently paid for Bullocks at the Rate of Forty or Fifty Rupees each, and 3 to 500 for Camels. Those I offer to deliver to the Company, are all good, well trained Bullocks, and such as I am convinced cannot be procured elsewhere."]

§ (" When the last Reduction of Cattle was made, I gave up the Premium upon those which were discharged, which was my Right; it would have amounted to 40,000 Sicca Rupees. I gave it up, as I found it was not the Pleasure of the Board to allow it. But I must now beg leave to state to you, that upon making up my Accounts, I find that my Total Loss upon discharged Cattle comes to nearly One Lack of Rupees, which I am ready to testify, and is too heavy a Loss for me to bear. I hope therefore, that for this, as well as for the Relinquishment of my Contract, you will allow me an additional Ten Rupees a Head for the Bullocks which I offer to deliver over to the Company.

" I have the Honor to be, with the profoundest Respect,

" Honble. Sir and Sirs,

" Calcutta,

" the 26th January 1784.

" Your most obedient and

" most humble Servant,

(Signed)

" John Fergusson, Contr."

" Governor General.—The First Article of the Proposal in the Contractor's Letter, being the Difference between the Cost of Rum and Arrack, is founded upon a Resolution of this Board, and from that Circumstance will of Course meet with the Concurrence of the Board.

" The other Articles regard the Rate at which he proposes to deliver his Stock to the Company; in stating this, his Arguments appear reasonable, and the Calculations at medium Rates. Independant of this, some Return is due to the Readiness with which he relinquished his Rights to a Gratuity upon the last Reduction. In Consideration of this, and the very heavy Loss (near One Lack) certified to have been incurred upon discharged Cattle, I propose, that his present Tender be accepted of, as stated in the Letter before us. I am still further induced to this, as our present Situation makes me wish to make him a Proposal of a Surrender of his Rights, to which we may the more readily hope for and claim his Concurrence, after we shall have yielded to such of his Claims as have appeared reasonable to us. The Proposal I would recommend to the Board, if they concur in the above, is this:

" That War being now at an End with our national Enemies, as well as with all the Powers of Hindostan, it becomes our first Object to reduce our Military Establishment, and every Thing connected with it, to its former State, or even lower, if the general Peace and Probability of its Duration will admit of it. The Contract offers One of the most considerable Objects in this Line. I therefore propose, that we explain the Grounds of our Views to the Contractor, and recommend to him to join in the general Welfare, by a Surrender of his Rights on the First of next Month, making a Statement of the Profits he may thereby relinquish, and leaving it to the Candour of the Board to make a final and equitable Conclusion. I feel some Satisfaction in making this Proposal, because the Grant of this Contract has more than once drawn disagreeable and undeserved Reflections upon my Person in particular, founded upon my known Regard for the First Contractor, Mr. Croftes. The Urgency and Dispatch of War, will not suit with the cold and slow Proceedings resulting from strict Economy. I therefore agreed to the apparent high Terms, that I might be assured of good Service. I must do him the Justice to say, that I have not been disappointed either in him or his Successor, Mr. Fergusson. But now, that a Change of Situation stimulates me to attend more to economical than any other Plans, I am glad to shew that no Consideration of private Friendship or Regard can stand between me and what I conceive my publick Duty.

" If the Contractor's Reply shall appear reasonable to the Board, it is my Intention to recommend, that an Agreement conformable thereto be immediately made with him for the Surrender of his Contract, and that the Charge of supplying and feeding Bullocks and Camels for the Use of the Army, and victualling the Europeans on this Establishment, be managed by Agency instead of Contract, not doubting that I shall be able to make it appear, that great Savings may be made by this Change of the Mode.") (a)

(No Signature at the End of the Consultation.)

Read, also, a further Extract from the same Consultation, beginning at Page 246 of the same Book.

☞ [“ February 13th.—Yesterday the Secretary wrote a Letter to Mr. Fergusson, in Conformity to the Sentiments of a Majority of the Board, and this Day received the following Answer from the Contractor.

“ To William Bushby, Esq. Secretary to the Board of Inspection.

“ Sir,

“ I have received the Favor of your Letter of the 12th instant, acquainting me, that the Honble. the Governor General and Council have been pleased to accede to my Proposals for surrendering my Contract on the 31st August 1784, as stated in my Address to them, dated 26th January; and informing me further of their Wish to obtain a Relinquishment of it on the 1st of next Month, instead of 31st August 1784.] ☞ § (“ and desiring me to inform them what my Profits would be for the ensuing Six Months, that is, from 1st March 1784, to 31st August 1784. In Answer to this Requisition, I beg Leave to acquaint you, that I calculate my Profits at the Rate of 15,000 S^r R^r ☞ Month, and which I hope the Board will be pleased to allow me for the Six Months next ensuing: This, however, I submit to their Candour and Justice, being ever ready to accommodate myself to their Views; but I hope they will not make the Compensation for the Surrender less than the Sum I have here stated, as I can prove, that I have now upwards of One Lack of Rupees of bad Debts on the Contract Books, which have been indispensably occasioned by my being compelled to give my Agents an unlimited Credit during the War; and to wipe off which, I have no Resource whatever, but my expected Profits from this to August.

“ For the Amount of my Stock, and other Articles stated in my Letter of the 26th, as well as for the Compensation above-mentioned, I hope the Honble. Board will be pleased to issue Orders on the Treasury in my Favor, as I have borrowed large Sums on Account of the Contract, which is liable for them, and the only Fund from which they can be paid. The Surrender of the Contract, and of the Stock as stated in my Letter of the 26th January, will of Course be made by me to you on the last Day of this Month; and I request the Board will issue the necessary Orders for their being received, and for victualling the Europeans.

“ I have the Honor to be,

“ Sir,

“ Your most obedient,

“ humble Servant,

“ Calcutta,
“ the 13th February 1784.

(Signed)

“ John Fergusson, Contr.”) (a) §

Read, also, a further Extract from the same Consultation, beginning at Page 249 of the same Book.

§ (“ Governor General.—The Contractor having computed his Profits at 15,000 Rupees ☞ Month as gained upon an Average, with all the Hazards of a perilous Campaign, and high Rate of Grain, attending that Part of his Stock which was in the Carnatic on Service; and as the Indemnification for the Time to come, whatever shall be allowed, will be a clear Gain, without either Risk or Trouble attending it, I am of Opinion, that an Allowance of 10,000 Rupees ☞ Month for the ensuing Six Months, will be an equitable Accommodation, and recommend that it be granted him in full for the Consideration of his yielding this Interval of the Period of his Contract.

“ I also agree and recommend, that for the Amount of the Stock and other Articles specified in Mr. Fergusson's Letter of the 26th ult^o, as well as for the Compensation above-mentioned, an Account thereof be made out by the Secretary of this Department, and Orders upon the Treasury issued to the Amount in Favor of the Contract to be delivered by the Secretary to Mr. Fergusson, on his final Surrender of the Contract; and the Secretary will consider the last monthly Returns as a Voucher of the Number of Cattle employed by the Contractor; and in case any should be found deficient of the Establishment at the Expiration of this Month, when the Whole are to be delivered over, the Contractor to be bound either to complete the Establishment, or to make the necessary Deductions accordingly.

“ It is with great Satisfaction that I lay before the Board the accompanying Letter from the Contractor, who has stated with much Candor and Exactness, what his real Profits have been during the War. This Letter will, I hope, fully contradict the various injurious Reports which have been raised against the Terms of this Contract, the Profits of which have been greatly exaggerated in private Letters from hence, and which have served to prejudice the

" Minds of the People in England, and of the Court of Directors against it, as particularly appears
 • Sic in Orig. " from their Letter of *

" It is now made evident, that the Terms of this Contract were by no Means too high, and I
 " am satisfied that every Man of Candor, and conversant in Business, will admit that a Profit of
 " 15 $\frac{1}{2}$ Cent. as stated by the Contractor, certified by his Book Keeper, and which can, if neces-
 " sary, be verified on Oath, was by no Means adequate to the great Risk to which he has been
 " exposed.

(Signed)

" W. Hastings."

" To the Honble. Warren Hastings Esq.

" Honble. Sir,

" On a Supposition that the Terms I have submitted for surrendering the Bullock Contract in
 " August next, will be thought reasonable and agreed to, I beg Leave to make such Observations
 " as may be useful regarding it in future.

" During the War, 6,700 Bullocks were not always sufficient, extra ones having been required
 " at Times; but it now appears that on a Peace Establishment 4,074 will do, and as these will
 " belong to the Company, and fewer Sirdars and Drivers will be wanted, I conceive that the
 " Expence may be considerably reduced. The present Allowances to the Contractor,

	R ^s . A.		R ^s . A. P.
" In Time of War, are $\frac{3}{4}$ Bullock,		" In Time of Peace, when Bullocks	
" 3 Seer of Gram, or, on March,		" are not wanted for actual Service,	
" 4 Seer — — — — — 3 12		" it may be done, and by Agency,	
" Allowance for Use, Hire, and		" as follows :	
" Casualties — — — — — 1 —		" 2 Seer of Gram, $\frac{3}{4}$ Bullock — 2 8 —	
" Picket Ropes, Bridles, Pads, &c. 1 —		" Picket Ropes, &c. — — — 8 —	
" $\frac{1}{2}$ a Driver — — — — — 2 8		" $\frac{1}{2}$ of a Driver — — — — 12 —	
" $\frac{1}{4}$ of a Sirdar — — — — — 8		" $\frac{1}{4}$ of a Sirdar — — — — 2 4 $\frac{1}{2}$	
	R ^s — 8 12		3 14 4 $\frac{1}{2}$
		" Straw, Contingencies, &c. — — — 7 7 $\frac{1}{2}$	
			R ^s — 4 6 —

" 6,700 Bullocks, &c. at 8 12 — — — — — 7,03,500 — —
 " Which have been reduced to 4,074, at 8 12 — — — — — 4,27,770 — —

" Saving already made by the Reduction of the Number — — — — — 2,75,730 — —

" Further Saving that will be made by reducing the Expence of feeding
 " as above, and by obtaining a Surrender of the Contract, and transact-
 " ing the Business by Agency, viz.

	S ^r R ^s A. P.
" 4,074 on a War Establishment by Contract,	
" at 8 12 — — — — — 4,31,251 9 6	
" 4,074 at 4 6 — — — — — 2,15,625 12 9	
" Saving — — — — — 2,15,625 12 9	
" Total Saving — — — — — R ^s 4,91,355 12 9	

" The Bullocks are now well seasoned and trained, and the Number of Sirdars and Drivers can
 " readily be augmented on an Emergency.

" Tirroot and Dunbanga are the only Places where such Bullocks can be had; they cost there
 " from 20 to 30 Rupees each, and about as much more before they are trained and fit for
 " Service.

" My Profits during the War, have only been 15 $\frac{1}{2}$ Cent. on the Amount disbursed for vic-
 " tualling the Europeans, and furnishing Camels and Bullocks, which was not adequate to the
 " Risk, for if the Marattas had entered the Provinces, I must have been ruined. These Profits
 " are also liable to a Reduction on Account of bad Debts, of which I now have Rupees
 " 1,00,213.

" I was under the Necessity of giving my Agents unlimited Credit, and as their Accounts could
 " not be furnished regularly, I often had no Check upon them until it was too late; such Incon-
 " veniences do not arise in Time of Peace.

" I shall with Pleasure attend when called, to give any Explanation that may be de-
 " sired.

" My Reasons for taking the Liberty of stating these Facts to you, are on Account of the
 " very unjust Clamour which has been raised against the Bullock Contract, the Profits of which
 " have been exaggerated in a most incredible Manner.

" In order to be certain that my Calculations were right, I have desired my Book Keeper to compare them with the Contract Books, and he will certify hereunder that they are exact.

" I have the Honor to be, most respectfully,

" Honble. Sir,

" Calcutta,

" Your most obedient and most
" humble Servant,

" the 3d February 1784.

(Signed) " John Fergusson.

" P. S. The Calculation of R^s 4 6 $\frac{7}{8}$ Bullock, is made on a Supposition that they remain at fixed Stations; when on March, One Seer more Gram should be allowed, and a Driver to every Two Bullocks; this will be a temporary Charge, which cannot now be estimated, and will seldom be incurred in Peace.

(Signed) " John Fergusson.

" I do hereby certify, that I have examined the Contract Books, and find that the aforementioned Calculation, regarding Profits and bad and doubtful Debts, are just.

(Signed) " W^m Fairlie." (a) §

The Managers for the Commons stated, they should next produce the Statement of Mr. Fergusson's Claims on giving up his Contract, as they were admitted by the Board of Inspection; Mr. Hastings's Proposals for establishing an Agency, after having thus purchased the Contract from the publick Contractor; and his Recommendation of Sir Charles Blount for that Agency.

Read, a further Extract from the same Consultation, beginning at Page 259 of the same Book.

" The Secretary circulated the following Statement of Mr. Fergusson's Claim in Consequence of the Adjustment proposed; and on the same Day received the Governor General's Minute, proposing a Plan to conduct the Business, in future, by Agency, and recommending Sir Charles Blunt to be appointed to that Office.

" STATEMENT of Mr. Fergusson's Claims, as admitted by the Board of Inspection.

	S ^a R ^s .	Cur ^t R ^s .
1st, Difference 'twixt the Price of Rum and Arrack, as already allowed by the Board's Resolution of the 23d August 1781,	—	45,410
2d, 4,074 Bullocks, at 40 S ^a R ^s each, is	1,62,960	1,89,033
3d, 142 Camels, at 250 S ^a R ^s D ^o	35,500	41,180
4th, 18 Breaking-in Carriages, at 800 S ^a R ^s D ^o	14,400	16,704
5th, Estimated Value of the Buildings	15,000	17,400
6th, Compensation for Surrender of the Contracts at the Expiration of the present Month	60,000	69,600
Total	S ^a R ^s 2,87,860	C ^t R ^s 3,79,327

" 18th Feb^r 1784.

(Signed)

" Will. Buhby, Sec^r."

" 17th Feb^r 1784.

" The Governor General begs Leave to deliver in the Plan mentioned in his Minute of the * for conducting, by Agency, the Business of the late Army Contract; * Sic in Orig and for this Purpose recommends, that a Company's Covenanted Servant be appointed Agent for supplying and feeding Bullocks, &c. and for victualling the Europeans on the Bengal Establishment, under the following Regulations:

" 1st, That he shall receive the Stock of the late Contractor, as stated in his Letter dated the 26th January.

" 2d, That his Expenses for feeding, &c. be limited not to exceed the following Rate:

2 Seer of Gram $\frac{7}{8}$ Bullock	—	—	R ^s 2 8
Picket Ropes, &c.	—	—	— 8
$\frac{1}{2}$ of a Driver	—	—	— 12
$\frac{1}{10}$ of a Sirdar	—	—	2 4 $\frac{1}{2}$
Straw, Contingencies, &c.	—	—	7 7 $\frac{1}{2}$
			R ^s 4 6

(a) Vide Appendix, N^o CXCVI.

" N. B. On March, One Driver to be allowed to every Two Bullocks, and Three Seer of Gram instead of Two Seer, which is taken from the Peace Establishment, as stated in the Contractor's Letter to the Governor General, dated 3d February 1784; but to be reduced as much as possible below this Rate, to effect which, a Reliance must be placed on the Fidelity and Activity of the Agent.

" As to the Camels it is proposed, that they still be reduced as soon as it can conveniently be done, and till the Reduction takes Place, the Agent to be allowed 16 Rupees $\frac{7}{8}$ Month for feeding them and for all other Charges attending them.

" That the conducting of the Agency be subject to all the Controls and Checks, regarding Muster and Feeding, established in the late Contract, with this Addition, that the Commanding Officer at each Station shall grant a Certificate monthly of the Market Price, in his Camp or Cantonment, of such Articles as regard the Agency, and that this accompany the Monthly Account of the Agent: And whenever it shall appear from this Certificate, that the Price of Gram shall exceed Twenty-four Seer for One Rupee Sicca, in that Case alone shall a proportionable Excess above the limited Rate for Bullocks be allowed in the Accounts of the Agent. And in order to prevent the Swelling of Office Charges for Management, &c. at the Presidency and subordinate Stations, it is proposed, that the Agent be allowed a Commission of 10 $\frac{7}{8}$ Cent. for himself, and 7 $\frac{1}{2}$ $\frac{7}{8}$ Cent. upon the actual Disbursement for all Charges of Agents and Office whatever throughout the whole Army, which, according to the foregoing limited Rate, will amount to R¹ 21,388 8 for himself, and 16,041 for all his Charges. And in order to encourage him to procure every Article at the cheapest Rate possible, the Governor General further proposes, that a Premium of $\frac{1}{4}$ be granted to the Agent out of the Saving that may be effected upon the limited Rate; for Example, if the Expences can be reduced to 4 R¹ instead of 4 6 each Bullock, the Premium to be paid out of the Saving to the Agent will be as follows:

4,074 at R ¹ 4 6 $\frac{7}{8}$ M ^o is $\frac{7}{8}$ Anr.	—	R ¹ 2,13,885
4,074 at R ¹ 4 $\frac{7}{8}$ M ^o is $\frac{7}{8}$ Ann.	—	1,95,552
		<hr/>
	Saving	R ¹ 18,333
		<hr/>
$\frac{1}{4}$ of which is to go to the Agent, being		R ¹ 6,111

" With Regard to the Agency for the Victualling Contract, it no further regards the Company, than to see that Justice be done to the Men. The Payment of this Agency, is a Stoppage of the Batta allowed to the Men; that is to say, the Agent shall receive the Batta, being 10 Sonaut Rupees on full, and 5 Sonaut Rupees on Half Batta, and furnish the Europeans with the same Articles as were supplied by the late Contractor; and in lieu of all contingent Charges for Office Sircars, Writers, or Transportation of Provisions and Liquor, the Agent shall be allowed a Commission of 7 2 $\frac{7}{8}$ Cent. on the Amount of the Batta Rolls, which will come to about R¹ 18,000 $\frac{7}{8}$ Annum.

" With respect to the passing and Payment of the Bills of the Army Agent, it is proposed to be as follows: The Agent shall procure Muster Returns of the Cattle at all the different Stations of the Army monthly, which shall specify the Number of Bullocks and Drivers at each Station, and be countersigned by the Commanding Officer of the Corps, and the Commanding Officer of the Artillery, under whose Directions the Cattle shall be mustered. The Price of Gram to be also certified in the Return. From the Returns so procured, the Agent shall form his Monthly Bill, which will of Course comprize the Whole of the Disbursements for Bullocks, and which shall be paid by the Military Paymaster General, provided he finds it to correspond with the Returns, and which, with the Agent's Receipt for the Amount of his Bill, shall be sufficient Voucher to the Commissary General for passing the Charge in the Military Paymaster General's Accounts.—As to the Bills for victualling the Europeans, Batta Rolls shall be made out at each Station of the Army for each Company, which shall specify the Number of Europeans, the Number on Full and the Number on Half Batta, with the Reasons for receiving Full Batta. The Batta Roll to be signed by the Captain or Commanding Officer of each Company, who shall be answerable to the Paymaster for any Retrenchments that may be made from it. The Batta Roll shall be discharged by the Military Paymaster of each Station, and shall be sent with his Monthly Accounts to the Commissary General, and the Batta Roll, countersigned as above-mentioned, shall be sufficient Vouchers for admitting the Charge in the Paymaster's Accounts.

" The Agent to be furnished with Copies of all Orders issued by the Board, regarding the Bullocks and victualling the Europeans.

(Signed) " W. Hastings.

" The Governor General proposes Sir Charles Blunt for the Agency." (a)

(a) Vide Appendix, N^o CXCVI.

Read, also, a further Extract from the same Consultation, beginning at Page 267 of the same Book.

“ 18th February 1784.

✈ [“ Mr. Stables.—I wish to convince the Court of Directors, that there is a Disposition in this Government to shew Obedience to their Orders, and I am determined that their Orders shall be the only Rule and Guide of my Conduct.

“ With respect to the Proposition now sent in Circulation for supplying the Army in future by Agency, I positively object to it, and will agree only to such Measures as are ordered by the Court of Directors, I mean by Advertisement; which is the only Mode of ascertaining the actual Expence, and the most beneficial to the Company, and perhaps no other will ever satisfy our Superiors that our Measures are not Jobs, or the Effect of private and secret Influence.”]

§ (“ With Respect to the Contractor's Claim now before me, amounting to R^s 3,79,327, and the Adjustment of his Account, as I have already disapproved of that Contract in a different Station, it cannot be expected that I will counteract that Opinion, or make myself answerable. I must therefore leave it to those Gentlemen who were Parties of the Contract to close it, and to be themselves responsible for the Consequences of this Deviation from the Court of Directors Orders.

(Signed) “ John Stables.”) (a) §

The Managers for the Commons stated, they should next proceed to read a Paragraph of a Letter from Mr. Hastings to the Court of Directors, since he left the Government, in which He himself condemned this Mode of conducting the Business by Contract, as always injurious to the Service.

Then Mr. Hudson was again called in, and produced “ a Letter from Warren Hastings Esquire, to the Court of Directors of the East India Company, dated Cheltenham, 15th August 1785.”

The same was read, and is as follows :

“ To the Honourable Court of Directors for the Affairs of the Honourable United Company of Merchants trading to the East Indies.

“ Cheltenham, 15th August 1785.

“ Honourable Sirs,

§ (“ I have had the Honour to receive from your Assistant Secretary a Letter, inclosing Copies of a Letter from Major General Archibald Campbell, in which he proposes a Plan for reforming the Military Establishment in India, and of the several Papers accompanying the same; and informing me of your Commands to submit to you my Sentiments thereon.

“ I should have shewn more Alacrity in the Performance of this Duty, had I not found it, on Trial, more difficult than on the first Suggestion of the Subject I had expected. It is easy to express Approbation or Difference of Opinion. But neither could I content myself, in an Address to your Honourable Court, with a Reply yielding so little of substantial Information, nor could I enter on the Examination of Arrangements recommended by an Authority which I greatly respect, without feeling so much of personal Bias, as at least to wish that I might find them generally to accord with my own Sentiments, and where I differed, to differ on Grounds of the clearest Conviction, and on such as I could justify to General Campbell himself, by Proofs deduced from the Application of his own Principles, or the Nature of the Service; but this was rendered impossible by the Scantiness of the Materials with which I was provided. The Utility and Expediency of his Plans can only be seen in a Comparison of them with the Establishments which are in actual Use, and with some new Arrangements made by your Honourable Court, to which he alludes as the Models to which he has accommodated his own; but I have not Possession of the former, and the latter I have not yet seen; neither can I clearly comprehend the Arithmetical Parts of his Establishments for want of the intermediate Process.

“ For these Reasons, my Remarks upon these Papers can be but incomplete, and will be chiefly confined to Points of political, or merely official Relation.

“ With respect to such as appertain more to the Military Science, as your Honourable Court will doubtless wish to gain the best Information where the best can be had, mine may be the better spared, as there are Officers in England of the first Character for practical Merit, and of recent Experience, to whose superior Knowledge I should myself have Recourse for Materials to direct my Judgement, were I yet in a Situation to require them; besides, I may presume that your Honourable Court would hesitate to direct the Observance of any fixed and permanent

" System, however formed or recommended at Home, without allowing your Governments
 " Abroad to offer their Objections or Amendments for your final Determination upon the
 " Whole; for I must take the Liberty to borrow a Phrase from General Campbell himself, and
 " to apply it a little more extensively than he has done, by saying that all Men are speculative, let
 " their Rank or general Knowledge be what it will, with respect to their Ideas on a Subject of so
 " undeterminate a Nature as the Military System of so remote a Service, without the Warrant of a
 " tried, long, successful, and that local Experience.

" Conformable to the premised Design I shall deliver my Observations under the Two Heads
 " of Expence—and Disposition of the Forces of the different Governments of India.

" First, of Expence.—From the Epithet of " Peace" prefixed to the Titles of the Establish-
 " ments proposed by General Campbell, I presume, notwithstanding one Paragraph in the
 " Letter, in which he mentions the Battalions as being completely equipped for Service on the
 " the Plan recommended by him in Detail, and which therefore seems to imply a Provision made
 " for every possible Exigency which can produce Expence, that it could not have been his Inten-
 " tion to include every Article of Disbursements which would be required for the Corps of the
 " Army acting in the Field; some are contingent and discretionary, and must therefore necessarily
 " be excluded from every Plan of established Expence.—But there are many others which have
 " been esteemed indispensable, and which, though reducible to fixed Numbers and Rates, and
 " allowed in every past Establishment, are omitted in his; such, for Instance, are Camp Equi-
 " page, victualling of the Europeans, Draft and Carriage Bullocks, Elephants for the Carriage of
 " Tents, Boats for the Service of Bengal, Bildars, Cooleys, Camp Colourmen, Lascars for pitch-
 " ing Tents, and other Necessary Duties in the Field, Sircars (or Native Clerks for keeping the
 " Accounts of the Native Battalions), Carpenters, Smiths, Filemen, Braziers, and perhaps other
 " Artificers attached to the Corps of Sepoys, Allowances for petty Stores; Horses for the first
 " Construction of the Cavalry, which for Madras alone would require * Nineteen Lacks of Ru-
 " pees; Horses annually purchased, to replace those lost by Death, Age, and Casualties, which
 " may be estimated at One-fifth of the first Cost; Saddles and other Accoutrements, Sifes (or
 " Grooms) and Grass Cutters; Officers on the General Staff, such as an Adjutant General, if
 " allowed, Quarter Master General, Aides-de-Camp, Persian Translators, Paymasters, with their
 " Offices, and others whom I cannot enumerate.

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" I have taxed my Memory with the Production of this long Catalogue, which will yet be
 " found incomplete, for Two Reasons; First, because I conceive that it may be at this Time of
 " dangerous Consequence to the Company to entertain too sanguine Expectations of economical
 " Reforms, and to build their publick and pledged Estimates upon them; and, secondly,
 " because the Disappointment which must inevitably follow such Promises, might prove highly in-
 " jurious to the Credit and Interests of your servants Abroad.

" I humbly apprehend that there is nothing wanting to complete the Retrenchments already
 " made in Bengal, for I cannot speak of the other Presidencies, but an effective Authority to con-
 " troul the Paymasters and Commanding Officers of Detachments, to compel them to the Obser-
 " vance of their respective Duties, as they are particularly described and discriminated in the Re-
 " gulations of 1781 (I think in the Month of May of that Year,) to compel the Paymasters to
 " deliver their Monthly Accounts within the prescribed Periods; to establish an Office of imme-
 " diate Audit; and to replace the First Military Charge in the Hands of the Governor himself,
 " which, since the Year 1774, possesses it only in the Name.

" Secondly, Of the Disposition of the Forces of the different Governments of India, of 70,919
 " Men, composing the Total Number of all the Military Establishments of the Three Presidencies,
 " General Campbell proposes to allot only 29,038 to Bengal, and 31,720 to Madras; and the
 " Reason for this Inversion of the Proportion assigned to the Defence of Two Places so very different
 " in their Value, is given in the following Words: ' It is absurd to proportion the Number of
 " Troops at the different Presidencies to their respective Revenues; the Strength and Composition
 " of each Army ought to be regulated according to the Importance of their respective Situations
 " for carrying on War against the common Foe. It is only on such Principles that the Company's
 " Possessions in India can obtain a permanent and substantial Security; that the Native Princes of
 " Hindostan, who know the Value of their own Interests, can be taught to respect and cultivate
 " the Friendship of the British Nation; and it is only by a Respect so acquired, that the Intrigues
 " of the other European States can be effectually discouraged in that Quarter of the Globe.'

" It was natural that a Mind ardent to display its own Worth, and conscious of its Integrity,
 " should seek to enlarge the Sphere of its Employment. The Reasoning is so strong, and the
 " Experience of many past Years would almost justify the Distinction assumed in Favour of the
 " Government of Fort St. George, since, in Effect, it has been more frequently engaged in Wars,
 " and its Security more endangered by them, than either of the other Two Presidencies, though it
 " has never at any Time employed so great a Number of Men as are required by the proposed
 " Establishment; and there was a Time, nor that far remote, when it felt, even with a Season of
 " War subsisting, the Weight of a smaller Force too great for its Ability, or Means of conducting
 " it; and the same Causes which have existed in the natural Order of Things, are as likely to pro-
 " duce the same Effects, and to require the same Provision for them hereafter: Nor will the Pre-
 " sidency of Bombay want Arguments to assert the same Pretension, on the Principle of appor-

tioning the Number of Troops on its Establishment to the Importance of its Situation for carrying on War against the common Foe. In Effect, such Arguments have been urged by the President and Select Committee of Bombay, even to your Honourable Court, if I am not mistaken in my Recollection of a Letter written by that Committee to the Governor General and Council of Bengal, dated the 28th January 1784; and their Object was to prove, that Bombay should be the Capital Government, the greatest Portion of the Company's Military Strength stationed there, for the Purpose of supporting its System of Policy, and providing against future Wars, and the Revenues remitted thither for its Maintenance.

In like Manner, were you to require my Opinion upon the Preference which should be given to either of the Three Presidencies for the Establishment of the First Military Station, I should recommend Bengal, not because it lies most convenient to annoy the common Enemy, whatever may be implied by that Term, for I know no Enemy that the Company has, or is likely to have, unless they provoke one, but because it is the only one of the Company's Possessions that is worth either the Charge or Hazard of its Defence; yet if the Principle of arming a barren Incumbrance, with an expensive Provision against eventual Wars, were admissible in Favour of either of the Two other Presidencies, Bombay would certainly merit the Preference, from its Contiguity to the Maritime Posts of the dreaded Enemy of the Carnatic, which are not only for that Reason the most accessible, but the most capable, if they should fall into our Hands, of facilitating the Attack of his interior Possessions.

My Opinion upon this Question is short, and will require little Proof to support it.—If your Interests in Bombay and Madras cannot be maintained without such expensive Modes of Defence, or if your general Interests must suffer by the Want of them, I hesitate not to pronounce that you hazard by far too much in keeping them; and that both were better abandoned, than that the only valuable Property that you possess should be exhausted and ruined for their Subsistence. But the Case with Bombay is by no Means so desperate: A very inconsiderable Force would be sufficient to garrison its Two principal Posts of Bombay Castle, and Tanna on the Island of Salsette; and more I presume it cannot need, as it is by its natural Position guarded against an Invasion by Surprise, and not liable, for many Years to come, to be engaged in another War with the Marattas, the only Enemy that can be its Aggressor, while its Parent State is in Peace.

It is not only by the Provision of a great Military Force that the Peace of a Country can be secured, or even its Operations in War conducted with Success; it is possible to derive Weakness from an Accumulation of Strength exceeding the natural Means of maintaining it. More I forbear to speak concerning Madras, because what I should say might appear invidious; and you are already in Possession of my Sentiments, not unrecently delivered, upon every Point of Discussion which can arise out of the present Subject.

Concerning Bengal, I am of Opinion that by much too scanty a Proportion is allotted to the Corps of European Infantry and Artillery. These, and the latter especially, are the vital Strength of your Constitution, and the Season of Peace is the Season for recruiting them; therefore their Peace Establishments should, as I presume, be augmented to a Degree that might render them equal to any possible Exigency; for in War, judging by the past, I conclude that they must remain as the Peace has left them; nor should I scruple to express my Wish that Ten thousand Men could be the Complement of those Corps, and more than the Proportion of that Increase diminished of the Native Infantry. In the mean Time, I beg Leave to submit it as a Question to be proposed to those who are better qualified by professional Knowledge to resolve it, Whether the general Service will not suffer less by attaching Native Artillery, on the Plan formed by Colonel Pearse, to the Sepoy Corps, than by distributing the European Artillery Men in small Numbers, under Non-commissioned Officers, to that Service, as recommended by General Campbell? This is a Question, under every Condition of that Corps, worthy to be well weighed, but most especially at a Time when there are so few Men of that Description to spare from the general Service, or from the collective Body, with which alone they can acquire or preserve their Discipline, or retain their proper and regular Habits of Obedience. I offer no Opinion upon it of my own, though it will be inferred from the Manner of stating the Question; but to One Objection which will probably be made to One Result of it, I will venture hardly to affirm, from my Knowledge of the Propensities of the Natives of India, that One able French Officer will convey more useful Instructions to our Enemies, in the Artillery Practice, than Ten Battalions of Golandaz Deserters.

General Campbell's Observations on the Want of a strong and effective Body of Cavalry, are conformable to the invariable Experience of your Service; yet I must express my Doubts of the Expediency of keeping up so large an Establishment of regular Cavalry for either Presidency, unless Means can be found to raise and maintain a Number sufficient for effective Service at a Cost which the Company can afford, and (I might add) such as should be every Way fit for Service when tried. Hitherto all the Efforts of your principal Government have been ineffectual to restrain the Expence of the Cavalry within Bounds not enormous, to enforce an Adherence to the Rules of its Construction, or to derive any real Service from it. I know too little of the present State of the Nabob Walla Jah, to be able to judge of the Expediency of trusting to him

“ for Cavalry in the Time of Need ; but for Bengal I would take the Liberty to recommend
 “ occasional Mercenaries, or other Irregulars, like the Candahar Horse, which served with such
 “ approved Fidelity and Spirit in the Campaign conducted by General Goddard. General Camp-
 “ bell has justly appealed to the Experience of the late War in India for Proof of the Utility and
 “ Necessity of employing Cavalry ; yet this was not the only Defect which prevented your late
 “ excellent Commander in Chief from availing himself of the Victories so often obtained over
 “ Hyder Ally, whose principal Advantage consisted in the Goodness of his Draft Cattle : While
 “ ours feebly dragged their Guns, and proceeded with frequent Halts, and the most tardy Move-
 “ ments, Hyder’s fled with Rapidity that eluded all Pursuit, because our Infantry could not leave
 “ their Artillery without the Hazard of losing it, and of being themselves cut off by the adverse
 “ Horse. May it not be permitted to me to suggest, that if in this Instance more Attention had
 “ been paid to the Purposes of the Service than to Economy, we should not have had the
 “ same Cause to complain of any other Want ? For if our Draft Cattle had been equal to those of
 “ the Enemy, as they certainly might have been, it seems a necessary Consequence, that, as our
 “ Carriages are, from their Construction, both of lighter and more easy Draft, they would have
 “ exceeded the others in Speed, and rendered their Escape less practicable, from the decided Supe-
 “ riority of our Troops over those of the Enemy.”)

§ [“ I cannot omit this Occasion to recommend, in the most earnest Manner, the Provision of
 Draft Bullocks for the Service of Bengal, by Agency, with a limited Responsibility and liberal
 Confidence, rather than by Contract : assuring you, on the most decided Experience, that nothing
 can be more injurious to the Service than the latter, nor more extravagant than the lowest Rates at
 which it has been hitherto undertaken.]

§ (“ I hope that no Expression in the preceding Remarks will appear to reflect on the Judgment
 “ of General Campbell, for which I have professed, and do entertain, a very high Respect. I
 “ have considered the Questions before me with an exclusive Regard to their Influence on your
 “ Service ; and if I have opposed his Opinions, I have also condemned my own upon one Sub-
 “ ject, delivered at a different Period, and unaided by actual Trial ; and for the rest, the Senti-
 “ ments which I have submitted are little more than the Repetition of Declarations which I have
 “ made on other Occasions, either in Minutes of Consultation, or in immediate Addresses to your
 “ Honourable Court.

“ Pardon me, Honourable Sirs, if my Zeal for your Service, and the superior Concern which
 “ I may be allowed to feel for the most essential Part of it, should lead me a little beyond the
 “ Bounds of my prescribed Subject, to add, not my Opinion, but Affirmation, that to ensure the
 “ Prosperity and Permanency of the Company, the Disbursements of Bengal must be confined to its
 “ own Services, with the Application of its superfluous Revenue, and no more ; to the Provision
 “ of its own Investment for the Subsistence of your Commerce, or more properly for the Means of
 “ remitting to England what may be appropriated of its Tribute. No Country, without greater
 “ artificial Sources of Supply than Bengal possesses, can subsist under the continued Pressure of an
 “ Expence not returning into its own Circulation ; nor perhaps could any now existing on the
 “ Face of the Globe bear such Drains as have been made in this.

“ I have the Honour to be, with the greatest Respect,

“ Honourable Sirs,

“ Your most obedient and

“ Most humble Servant,

“ Warren Hastings.”) §

The Managers for the Commons stated, they should next read a Passage from a
 Minute of Mr. Hastings, already in Evidence on a former Charge, to shew a
 strong Contradiction in Mr. Hastings’s Sentiments with Respect to the Subject of
 this Mode of Agencies in general.

Read, the following Extract from the printed Minutes, beginning at Page 280
 of the same.

“ I therefore move, that he be at the same Time invested with the Appointment of Agent for
 the Provision of all Boats employed for the Military Services of this Establishment, with an Al-
 lowance of a Commission of 15 $\frac{1}{2}$ Cent. upon all his Disbursements in this Office ; that the exe-
 cutive Charge thereof take Place from the Period of the Expiration of Colonel Morgan’s present
 Contract ; and that until that Time, and for Three Months following it, he be allowed to draw
 his present Allowance of 1,000 Rupees $\frac{1}{2}$ Month.

“ I propose this Method in Preference to a Contract, because I am convinced, from Experi-
 ence, that the Service will be better performed by this Alteration, although it is liable to one ma-
 terial Objection in its natural Influence on his Expences. This is a Defect which can only be
 corrected by the Probity of the Person who is entrusted with so important a Charge ; and I am wil-
 ling to have it understood, as a Proof of the Confidence which I repose in Mr. Fowke, that I
 have

have proposed this Appointment, in Opposition to a general Principle, to a Trust to constituted." (a)

The Managers for the Commons stated, they should next proceed to give in Evidence a Report of Sir Charles Blunt, the Agent, from a Consultation of the 31st January 1785, to shew the bad Condition of the Cattle when the Contract was purchased from Mr. Fergusson.

The Counsel for the Defendant objected, that this Consultation could not be given in Evidence, not having been either signed or transmitted by Mr. Hastings.

The House informed the Counsel for the Defendant, that if it appeared Mr. Hastings was present, and did not object to the Proceedings at the Time, it would be admissible Evidence.

The Counsel for the Defendant waived their Objection.

Read, from Book 210, already delivered in, the following Extract of a Consultation of the 31st January 1785, beginning at Page 768 of the same Book.

" Fort William, the 31st January 1785.

" At a Council; Present,
The Honble. Warren Hastings Esq.
John Macpherson, } Esquires.
and
John Stables, }

" Further Regulations for * Feeding and Victualling Agency.

* Sic in Orig.

" N B. The Agent begs Leave to observe, that having had no Authority to dispose of the lean, old, decreased, and galled Cattle, and to supply their Places with fresh young Stock, it cannot be expected their general Appearance should be improved, or indeed so good as formerly, especially as the present Stock of Cattle consists mostly of such as have been at Work Five or Six Years, a very small Number of them being less than Ten or Twelve Years old. Cattle for the Use of the Army are usually bought in at Four of * Five Years old, and may continue serviceable till Ten or Twelve. Supposing them to last even Ten Years, One Tenth Part of the whole Stock must necessarily be renewed annually, and the Omission of such Renewal will, of Course, give to the Whole an Appearance of Age and Decline.

* Sic in Orig.

" As it may possibly be remarked, that the Expenses of the Agency have much exceeded the Calculation, the Agent desires to point out, that the Excess will be seen to arise from the uncommon high Price of Gram. At several of the Stations it does not exceed the Allowance of 4 R^s 10 An^s $\frac{1}{2}$ Bullock, and at some it is under, unless when on Service; and there can be no Doubt when Gram becomes cheap, the Expenses will be generally under the established Rate of Allowance.

Regulation for the Agency.

(Signed)

" Charles W^m Blunt, Army Agent. (b)

(And at the End of the Consultation)

" John Macpherson,
John Stables."

The Managers for the Commons informed the House, they should pursue the Course before adopted, and defer giving Evidence of the Account of the Loss on these Contracts and Agencies till the End of the Article; and therefore they should now proceed to that Part of the Article which charges Mr. Hastings with having granted to Sir Eyre Coote Allowances contrary to the Orders of the Directors, and having broken the Treaty with the Vizier, by charging him with those Allowances, over and above the Subsidy he had stipulated to pay: For which Purpose they should first produce the General Order of the Court of Directors to the Governor General and Council, with Respect to the Salary of the Commander in Chief.

(a) Vide *supra*, P. 280.

(b) Vide Appendix, N^o CXCVII.

Read, from Book 58, already delivered in, the following Extract of Instructions from the Court of Directors to the Governor General and Council at Fort William in Bengal, dated London, 29th March 1774, beginning at Page 59 of the said Book.

* Sic in Orig. " We hereby direct that * Commander in Chief of the Company's † in India be permitted when
† Sic in Orig. in Bengal, to enjoy the House in Calcutta usually assigned to and occupied by the superior Military Officer of our Troops in that Province, and that when our Commander in Chief shall be sent upon the Company's Service to any of our other Presidencies, an House, suitable to his Rank, be likewise assigned for his Use during his Residence at such Presidency, and that there be paid to
§ Sic in Orig. him the Sum of Six thousand Pounds Sterling per Annum, in full for his Service. § Commander
† Sic in Orig. in Chief; and in lieu of Travel ‡ Charges, and of all other Advantages and Emoluments whatever, except his Salary of Ten thousand Pounds per Annum established by Law, and ordered to be paid him as One of the Council at Fort William in Bengal.

(Signed at the End of the Instructions)

" Edw ^d Wheeler,	Joseph Sparkes,
John Harrison,	Pet. Latcelles,
John Woodhouse,	Cha ^s Boddam,
Samuel Peach,	Jn ^o Michie,
Fred ^k Pigou,	Cha ^s Chambers jun.
Daniel Wier,	R ^d Hall,
W ^m James,	John Smith,
T. B. Rous,	George Tatem."
George Cuming,	

The Managers for the Commons stated, they should next read a Paragraph from the Directors General Letter in 1778, which went out with Sir Eyre Coote, directing that he should receive the same Pay as General Clavering had received.

Read, from Book 221 already delivered in, the following Extract of a Letter from the Court of Directors to the Governor General and Council at Fort William in Bengal, dated 7th May 1778, beginning at Page 374 of the same Book.

5. " It is our Pleasure, and we hereby direct that Lieutenant General Sir Eyre Coote do receive the same Pay as Commander in Chief of our Forces in India as was received by Lieutenant General Sir John Clavering; and likewise that he do enjoy all such Advantages respecting an House for his Residence at Calcutta, or at any of our other Presidencies, as are directed to be allowed to our Commander in Chief in the 60th Paragraph of our Instructions to our Governor General and Council, dated the 29th Day of March 1774.

" We direct that the Salary of Ten thousand Pounds per Annum, which will be payable to Sir Eyre Coote as One of the Members of our Council at Fort William in Bengal, is to take Place and commence upon and from the Day of his Embarkation from Great Britain; and it is our Order, that the Pay of General Coote as Commander in Chief of our Forces in India, do commence from the Day of his Arrival at any of our Settlements in India; and that it be issued from our Bengal Treasury in the Manner directed in the Case of General Clavering.

(Signed at the End of the Letter)

" London,
the 7th May 1778.

" W ^m Mills J ^r ,	W ^m James,
Charles Boddam,	Ben. Booth,
Samuel Peach,	Joseph Sparkes,
Tho ^s Cheap,	J. Purling,
G. Tatem,	Jn ^o Michie,
R ^d Hall,	Rich ^d Becher,
Rob ^t Gregory,	W. Devaynes,
Jn ^o Woodhouse,	L. Sullivan."
G. Wombwell,	

The Managers for the Commons informed the House, they should next give in Evidence the Propositions made by Sir Eyre Coote in Council on the 12th of April 1779, soon after his Landing; and the Propositions of Mr. Hastings at the same Council, with respect to the Amount of the Establishment to be given to the Commander in Chief.

Read, from Book 434, already delivered in, the following Extract of a Consultation of the 12th April 1779, beginning at Page 377 of the same Book.

[" Fort

[“ Fort William, the 12th April 1779:

“ At a Board of Inspection, Present,
 The Honourable Warren Hastings Esquire, Governor General, President;
 Richard Barwell, } Esquires,
 Philip Francis, }
 and
 Lieut. Gen. Sir Eyre Coote, K. B.
 Mr. Wheeler indisposed.

“ Read, and approved the Proceedings of the 8th instant.

“ Read, the following Propositions of Lieutenant General Sir Eyre Coote, referred from the Council to this Department.

“ Propositions from Lieutenant General Sir Eyre Coote, referred to the Board of Inspection.

“ 4. That the $5\frac{1}{2}$ Shares of the Revenue do devolve upon Sir Eyre Coote as Commander in Chief, from his Arrival at Fort William on the 23d March, and that General Stibbert do only share as eldest Colonel from that Time.

“ 5. That the 3000 Rupees per Month, lately granted to General Stibbert for Contingent Expences in the Field, do devolve on General Coote from the 31st of March as Commander in Chief.

“ 6. That the 16000 Rupees per Annum for secret Intelligence do devolve on General Sir Eyre Coote from the 31st of March.

(Signed)

“ W. Bruere,
 Acting Secy.”]

Sir Eyre Coote's Propositions, and Allowances drawn by General Stibbert.

§ (“ Sir Eyre Coote delivers in the following Minute.

“ The Reference I made to the Board on the Subject of General Stibbert's Allowances, which exceed mine by 82,750 Rupees per Annum, proceeded from an Idea that they were granted to him as Commander in Chief under this Presidency; and as on my Arrival at Fort William he could be no longer considered in that Capacity, whatever he drew under such a Denomination, must necessarily be discontinued to him.

Sir Eyre Coote's Minute on the Subject.

“ An Examination of the Minutes of Council has rendered me Master of the several Reasons assigned for granting him those Allowances; and my Researches on this Occasion have led me also to a Knowledge of the Sentiments which have been expressed by the Members of the Board in general, respecting the Insufficiency of the Salary allowed by the Court of Directors to their Commander in Chief in India.

“ From a long Experience of the Service, I am thoroughly convinced of the Justice of this Opinion, and I am equally certain, that the Court of Directors never meant I should suffer in my private Fortune by carrying on the Public Service.

“ You will please therefore, Gentlemen, to adopt such Measures as may prevent any unnecessary Expence from falling upon the Company, and which will at the same Time enable me to execute the Duties incumbent upon me as their Commander in Chief, to visit the several Stations of the Troops, or to take the Field, if necessary, without involving myself in Expences which I should be unable to support.

(Signed)

“ E. Coote.”

§

§ [“ Mr. Francis.—I have prepared my Opinion on the Commander in Chief's Propositions, and beg leave to lay it before the Board.

“ My Opinion on the Amount of General Stibbert's Allowances, is very fully stated in the Consultation of the 14th of May 1778; and I adhere to it in every Particular. I think they should now be reduced to the Establishment at which they stood during General Clavering's Command. This Establishment was formally referred to the Company, and confirmed by them in their Letter of the 24th of December 1776, Paragraph 49. I cannot consent to any Variation from the Allowances fixed and enjoyed by General Clavering, without the Company's Orders. The very last which they have given us, and which Sir Eyre Coote brought out with him, direct, ‘ that Lieutenant General Sir Eyre Coote do receive the same Pay as Commander in Chief of their Forces in India, as was received by Lieutenant General Sir John Clavering.’ If all the Allowances stated in the Propositions referred to, the present Commander in Chief will receive eighty-two thousand two hundred Rupees per Annum more than was received by his Predecessor.

Mr. Francis's Opinion on Sir Eyre Coote's Propositions.

(Signed)

“ P. Francis.”]

§

§ (“ Mr. Barwell.—As I expect in a short Time the Orders of the Company on the additional Allowances drawn by Brigadier General Stibbert, there does not appear any urgent Necessity to proceed in the Regulation of such Allowances, until the Arrival of the Company's Instructions. The Court of Directors, in fixing the established Salary for a Commander of all their Forces in India, have expressed it as a Salary: They, therefore, certainly intended it to be drawn free and disburthened from all Disbursements to be incurred in the immediate Execution of their Military Service; they certainly did not intend to put the Commander in Chief of all their Military Forces upon a meaner Establishment than the Provincial Commander in Chief at

Mr. Barwell's Minute on the Subject.

“ the other Presidencies, or General Stibbert, whose Allowance (the 49th Paragraph of their Letter of the 24th December 1776) is reckoned at 82,000 Rupees. These Facts are so very striking, that I cannot doubt of our having full Authority to regulate an Establishment for Sir Eyre Coote, while in the Field, as may be suitable to his high Rank, and bear some Proportion to the Allowances made to the subordinate Field Officers of this Government. I am for the Question, that a Field Establishment be formed for Lieutenant General Sir Eyre Coote, Commander in Chief of all the Company's Forces, while in the Field.

Governor General's Answer to Sir Eyre Coote's Propositions.

4. “ Governor General.—The Allowance of $5\frac{1}{2}$ Shares of the Commission on the Revenues was not an Emolument annexed to his Station, but a Bounty specially and personally granted to General Stibbert, by the Orders of the Court of Directors, in the 31st Paragraph of their General Letter of the 16th April 1777. It cannot therefore be taken from him, but by the same Authority.

5. “ The Allowance of 3,000 Rupees per Month for contingent Expences in the Field, was granted to General Stibbert by a separate Act of this Board: Though their Resolutions upon this Subject have been various, yet the Opinions of the different Members respecting the Necessity of such an Allowance, have been generally the same, as may be seen by the Proceedings of the Board of the 29th February 1776, when this Subject was first brought under the Consideration of the Board, and for other Reasons rejected. For the Truth of this, I appeal particularly to the Opinions of General Clavering and Colonel Monson.

“ This was never meant as an Allowance annexed to the Station of Commander in Chief, for when it was first proposed, General Stibbert was not considered as invested with that Character, but to defray the unavoidable Expences attendant on the Command in the Field.

“ As the Resolution of the Board upon this Subject has been long since referred to the Court of Directors, with another relative Circumstance which must force their Attention to it, and draw from them a clear Decision upon it; and as that Decision may be expected with the first Dispatch of the Season, I think it would be improper and irregular to make any Alteration in it at this Time.

6. “ I do not recollect any Order which authorizes General Stibbert to draw a fixed Sum for secret Service. This is an Expence in its Nature variable; and the Court of Directors, in their Letter of the 24th December 1776, have expressly directed that it shall not be fixed, but that ‘Colonel Stibbert,’ (that is, the Commander in the Field) ‘shall be paid such Expences as shall appear to us to have been necessarily incurred by him from Time to Time on that Account.’

“ I apprehend that this is a Service which will properly and exclusively belong to the Commander in Chief, whenever his Situation will enable him to assume the Charge of it; and that General Stibbert should be accordingly directed to conform to his Orders respecting it.

Governor General's Minute and Observations on the incidental Charges of the Commander in Chief,

“ Governor General.—Respecting the incidental Charges of the Commander in Chief, when he is in the Field, or, which in this Point will be equivalent, when he is absent from the Presidency, I shall premise the following Observations.

“ 1st, The present Allowances, drawn by Brigadier General Stibbert, are as follow:

Pay, as Brigadier General, 750 l. per Annum, or	—	7,500
Table Expences in the Field	—	60,000
Contingent Expences in the Field	—	36,000
Commission on the Revenue, C ^t R ^s 21,368, or	—	19,250
Sonant Rupees		1,22,750

“ I do not reckon the Allowance for secret Service, because I regard it as a Publick Charge, in which he has no Interest, or other Concern, than faithfully to disburse what he draws.

“ 2d, Of the above Establishment, the following Sums have been allotted to General Stibbert, by the express Appointment of the Court of Directors:

Pay, as Brigadier General	—	7,500
Table Charges in the Field	—	60,000
Commission on the Revenues at that Time, as I find it computed in Mr. Francis's Minute of the 14th May 1778, C ^t R ^s 24,486, or	—	22,059
Sonant R ^s		89,559

“ 3d, The Salary allowed to the Commander in Chief, by the fundamental Regulations of this Government, is 6,000 l. per Annum, or Rupees 60,000.

“ 4th, This Sum is expressed to be in lieu of all Charges and Contingencies in the Field; but the Court of Directors have since granted to their First Colonel on this Establishment, as I have remarked

“ remarked above, an annual Stipend of 89,559 Rupees, a Sum exceeding that of the Commander in Chief by nearly 50 $\frac{1}{2}$ Cent.

“ But it cannot be supposed that the Court of Directors ever meant to invert the Order of the Service, and that in so great a Degree, as to make so partial and unjust a Distinction between an Officer, placed not by Selection, but by casual Succession, at the Head of a single Establishment, and the Commander in Chief of all the British Forces in India. Therefore, when they passed these Grants to Colonel, now General Stibbert, they virtually established a Precedent for a proportionate Augmentation of the Allowances of the Commander in Chief; for it cannot be disputed, that his unavoidable Expences in the Discharge of the various Duties annexed to his Station, must greatly exceed those of General Stibbert in a limited Command; and I will presume, that had it been at the same Time proposed to ascertain the Allowances of the Commander in Chief, they would have augmented them proportionably.”

§ [“ On the premised Grounds I move,

“ 1st, That the Commander in Chief be allowed to draw for the Expences of his Table, when he is in the Field, the Monthly Sum of 7,500 Sonaut Rupees, or 90,000 Rupees $\frac{1}{2}$ Annum. and Motion

“ 2d, That the Commander in Chief be authorized to draw for the following Establishment, for himself and his Staff when he is in the Field, in lieu of travelling and all incidental Charges whatever when in the Field.

“ ESTABLISHMENT for General Coote and his Staff.

12	Budgerows	—	—	—	150	—	—	—	1,800
30	Boats	—	—	—	40	—	—	—	1,200
10	Elephants	—	—	—	75	—	—	—	750
200	Coolies	—	—	—	5	—	—	—	1,000
28	Hircarrahs	—	—	—	7	—	—	—	196
1	Head ditto	—	—	—	30	—	—	—	30
1	Nail	—	—	—	15	—	—	—	15
50	Lascars	—	—	—	8	—	—	—	400
1	Serang	—	—	—	20	—	—	—	20
2	Tindals	—	—	—	15	—	—	—	30
4	Hackeries	—	—	—	30	—	—	—	120
2	Gurymen	—	—	—	7 $\frac{1}{2}$	—	—	—	15
2	Writers	—	—	—	—	—	—	—	150
	Stationary	—	—	—	—	—	—	—	200
12	Horses	—	—	—	—	—	—	—	360

S^t R^d 6,326

“ The Sums which I have annexed to the Establishment, are added merely to shew the computed Amount of it, but are not taken from any correct Authority, nor meant to be a Part of the Proposition; if this Motion shall be agreed to, it will be the Province of the Commissary General to affix the Rates of Expence to each Article, and I shall propose that they be referred to him for that Purpose.

“ Mr. Francis.—On the Principles on which the Opinion I have already given was founded, I have much more Reason to object to the Establishment now proposed, than to the Commander in Chief's first Propositions; all the Allowances granted to General Stibbert, as Commander in Chief or otherwise, and which I have constantly objected to as excessive, are to be continued, and at the same Time a totally new Establishment created, amounting to the Monthly Charge of Current Rupees 15,302 7 3, or 1,83,629 7 $\frac{1}{2}$ Annum. I am against the Motion.”

Mr. Francis's
Opinion on
the Governor
General's
Proposition.

§ (“ Mr. Barwell.—I cannot concur in Opinion with Mr. Francis, that the proposed Establishment is a double one. I do not understand these Allowances are to be drawn upon any other Occasion than that for which it is expressed, for the General's Expences in the Field. There is no immediate Call, that I know of, upon the Commander in Chief to leave the Presidency, and before a Month is passed, we shall, in all Probability, receive the Orders of the Court of Directors, whether Brigadier General Stibbert is to draw the Allowances which he is now entitled to receive, or whether they are to cease. In either Case, the Necessity of the Establishment now proposed for the Commander in Chief of all the Company's Forces is but a single Establishment; nor is this a Monthly Establishment, or if it was, is it of the Extent stated; it is an Establishment only to be drawn when the publick Service calls the Commander in Chief from the Presidency. That it will be drawn, I admit; but it is not probable it will be drawn through the whole Year; besides, it is a Charge limited to a specific Sum, but does not necessarily include the Expenditure of the whole Amount. I agree to the Proposition.

Mr. Barwell's
Opinion
thereon.

“ Governor General.—I agree to the Proposition.”

§
Governor Ge-
neral's Opini-
on.

[“ Resolved,

Resolutions and [“ Resolved, That the Commander in Chief of the Company's Forces in India be allowed to draw, for the Expences of his Table when he is in the Field, the monthly Sum of Seven thousand five hundred Sonaut Rupees, or Ninety thousand Rupees per Annum.

“ Resolved, That the Commander in Chief of the Company's Forces in India, be allowed to draw for the following monthly Establishment for himself and his Staff, when he is in the Field, in lieu of travelling and all incidental Charges whatever when in the Field :

12 Budgerows.	1 Head D ^r	4 Hackeries.
30 Boats.	1 Naib.	2 Gunymen.
10 Elephants.	50 Lascars.	2 Writers.
200 Coolies.	1 Serang.	Stationary.
28 Hircarrahs.	2 Tindals.	12 Horses.

Order to the Commissary General. “ Ordered, That this Establishment be referred to the Commissary General, with Directions to affix the Rates of Expence to each Article specified therein. (a)]

(Signed at the End of the Consultation)

“ Warren Hastings,
Rich^d Barwell,
P. Francis,
Eyre Coote.”

The Managers for the Commons stated, they should next give in Evidence certain Articles of the Treaty with the Vizier, shewing what the Vizier was bound to provide; in Contradiction to which Treaty Sir Eyre Coote's Allowances were afterwards charged upon him.

Read, from Book 11, already delivered in, the following Extract of a Consultation of the 6th June 1775, beginning at Page 20 of the same Book.

“ Fort William, the 6th June 1775.

Secret Dept
Tuesday.

“ At a Council; Present,
The Honble. Warren Hastings, Gov^r Gen^l, President;
Lieu^t General John Clavering,
The Honble. George Monson,
Richard Barwell, } Esquires.
Philip Francis, }

“ Sixth. The Nabob Aufsup-ut-Dowlah, for the Aid and Assistance of the English Troops when stationed with him, shall pay Monthly from the Date of this Treaty, for the Charges of a Brigade, the Sum of Two Lacks Sixty thousand Owd Sicca Rupees of the 16th Year, agreeable to the present Currency. If in future this Currency should be abolished, the Decrease or Increase of Batta shall be mutually given and received by the Parties. The Particulars of a Brigade are, viz^t. Two Battalions or One Regiment of Europeans, One Company of Artillery, and Six Battalions of Sepoys.

“ The aforesaid Nabob shall, whenever the English Troops pass the Boundaries of the Company's Provinces at his Request, pay the stipulated Sum monthly from that Time until their Return to the above-said Boundaries.

“ Seventh. If the aforesaid Nabob shall ever require the Aid and Assistance of the English Company for the Defence of any other of his Countries besides those above specified, he will fix something for the Company proportioned to the Service.

“ The English Company, and all the English Serdars, engage to perform whatever Articles are now mutually settled, and in the future, during the Life of the Nabob Aufsup-ut-Dowlah, they will never vary or depart from them. They will not in any Respect or Manner make Requests of any Thing new contrary to the Tenor of this Treaty.

“ The Parties mutually swear, according to their respective Faiths, to abide by these Engagements, dated the 20th of Rubby-ut-Ewul 1189 of the Hegira, on the 21st of May 1775.

A true Translation.

(Signed) “ John Bristow,
Res^t at the Court of the N^b of Owd.

(Signed at the End of the Consultation)

“ Warren Hastings,
Geo. Monson,
Rich^d Barwell,
P. Francis.”

To shew that the extra Allowances to Sir Eyre Coote were charged on the Vizier, by Order of the Governor General and Council, in Contradiction to this Treaty, Read, from Book 56, already delivered in, the following Extract of a Consultation of the 1st November 1779, beginning at Page 117 of the same Book.

“ Fort William, 1st November 1779.

Rev. Dep^t
Monday.

“ At a Council; Present,
The Honble. Warren Hastings, Gov^r Gen^l, President;
Richard Barwell,
Philip Francis,
Edward Wheler, } Esquires.

Sir Eyre Coote gone to visit the different Stations of the Army.

“ The Governor General moves, That the Resident at the Vizier's Court may be furnished with an Account of all the extra Allowances and Charges of the Commander in Chief when in the Field, with Orders to add the same to the Debit of the Vizier's Account as a Part of his General Subsidy; the Charge to commence from the Day on which the General shall pass the Carumassa, and to continue till his Return to the same Line. Governor General.

“ Mr. Francis.—The specific Amount of the Vizier's Subsidy is fixed by the Treaty, and cannot be encreased without his Consent; it is true, we may extort from him the Sum now proposed, or any other Sum we think proper; but it is against Justice, and I am sure will never be approved of by the Company, though it is proposed, I imagine, with a View of appearing to relieve them from the immediate Expence of those Extraordinary Allowances which the Governor General and Mr. Barwell have given to Sir Eyre Coote against their positive Orders, and against Law. The Vizier has not invited Sir Eyre Coote into his Country, nor do I know of any Service which his Presence there can produce to the Vizier, which alone could furnish a Pretence for demanding any additional Subsidy from him; I am, therefore, against the Motion. Mr. Francis.

“ Governor General.—This is strange Language; and what, though not unprecedented at this Board, I did not expect on the present Occasion, and with so little Provocation. When a Member of this Board shall take upon * to reprobate a Motion, either from the Head of this Department, who is compelled to propose what he thinks the Necessities of the Service require, and has not an Option to withhold it, or from any of the other Members of it, with Terms of Reproach and Obloquy, and to charge him with Extortion and Artifice, he ought at least to be certain of the Facts on which he grounds such severe Charges. The Ground assigned for those in the preceding Minute is, that ‘the specific Amount of the Vizier's Subsidy is fixed by the Treaty.’ I will not descend to copy Mr. Francis's Language or Manners in my Reply to this Assertion; but I will desire the Board to recollect that the Subsidy, the specific Amount of which is fixed by the Treaty, appertains only to the Brigade stationed in the Province of Owde; and that an additional Force has since been joined to this, for the Defence of the Nabob's other Dominions, the Whole of which has been, and continues to be, borne by the Nabob, with his Agreement. I know not how to distinguish between that Portion of the Expence attending the Command of these Forces, and that of the regular Brigade, since they are now blended in one Command by the Regulations lately formed; and as this whole Force is stationed there solely for the Service of the Nabob of Owde, the Expence ought, in my Opinion, to be solely his. Governor General.
* Sic in Orig.

“ Mr. Francis.—When the Weight of an Argument is felt, there is some Relief in cavilling about Terms. As to Language and Manners, I allow that the Governor General is perfect Master of both, whenever he is Master of himself. I leave the Style of the Two preceding Minutes to be compared and judged of by others. In reply to the last, I shall only say, that I think my Objection is not answered. The Subsidy for the Brigade in the Field is fixed by Treaty; that, I presume, we are agreed, cannot be increased at our Discretion; but if we can encrease the Vizier's Expence on Account of the other Troops commanded by British Officers in his Service, according to our Judgement, I imagine it amounts to the same Thing: We create new Establishments, of which he is not apprized; we send Officers into his Country whom he has not invited thither; and we tell him that all this is done for his Service, and that he must pay for it. I know not by what Limits that discretionary Power, if exercised by us in one Instance, especially of such Magnitude as the present, can be restrained; the Vizier certainly, who is the principal Person concerned, has no Voice in the Question. Mr. Francis.

“ Mr. Wheler.—I am against the Question. Mr. Wheler.

“ Mr. Barwell.—I am for the Question. I have impartially considered the Arguments for and against it; and I am convinced that it will both have the Approbation of the Company, and be vindicated by the obvious Necessity that require the Presence of the Commander in Chief in the Vizier's Dominions. Some Regulations and Orders that the Board have issued, have indeed, in their Operation, checked a few material Defects in the first Plan suggested for giving the Nabob's Mr. Barwell.

Troops to British Officers, uncontroled in their Charges. These Orders have reduced them to our present Establishment, have totally annihilated those Contracts for Horses, for Bullocks, and the Liberty of charging Batta upon the Receipts of Money, and on Tuncawa, as licensed by the Minister of our Government at that Period. The great Relaxation which has proceeded from that Irregularity, and Want of Command which the first System could not fail to introduce, can never be effectually remedied by any Superintendence and Controul at the Distance of 900 Miles; but I flatter myself that a local and spirited Discharge of that Duty, which the Commander in Chief seems determined to execute, will effect the salutary Reform so much needed.

" Agreed to the Governor General's Motion.

" The following Letter is accordingly written to the Resident at the Vizier's Court.

" To Mr. Purling.

" Sir,

" The Commander in Chief having thought it necessary to visit the different Stations of the Army, we judge it proper that his Extra Allowances and travelling Charges should be defrayed by the Vizier, from the Period when he shall cross the River Carumnassa, until the Date of his Return to the same; we therefore enclose an Account of the Establishment fixed for the Extra Disbursements of the Commander in Chief, while in the Field, and direct that you add the Amount thereof to the Debit of the Vizier's Monthly Account of Military Charges, as a Part of his General Subsidy during the above Period.

" Fort William,
1st November 1779."

We are, &c.

" Resolved, That the Governor General be requested to write to the Vizier in the Terms of the Motion.

(Signed at the End of the Consultation)

" Warren Hastings.
Rich^d Barwell.
Edw^d Wheler."

The Managers for the Commons informed the House, that they should next produce a Letter from the Governor General and Council to the Court of Directors, informing them of this Transaction; and stating that the Nabob Vizier had assented to the Proposal.

Read, from Book 25, already delivered in, the following Extract of a Letter from the Governor General and Council, at Fort William, to the Court of Directors, dated Fort William, the 14th January 1780.

60. " As the Prefence of the Commander in Chief will be mostly confined to the Grand Posts of the Army in the Dominions of the Vizir, we thought it but just to include the Field Allowances and travelling Charges which had been annexed to his Station by our Resolution in the Inspection Department, in our Demand upon the Vizir, from the Date of his passing the Carumnassa, as the Vizir, exclusive of the fixed Subsidy from one Brigade stationed for the Defence of his ^{*} guaratied Dominions, is bound to discharge the actual Expences of all the Troops employed for the Protection of the Countries lying beyond that Line; we therefore wrote to the Resident to this Effect, and he has acquainted us with the Vizir's ready Assent to his Proposal (a).

* Sic in Orig.
20th Dec.

(Signed at the End of the Letter)

" Warren Hastings.
P. Francis.
Edw^d Wheler."

The Managers for the Commons informed the House, That as Mr. Hastings had stated to the Court of Directors that the Nabob had readily assented to these Proposals, they should here again read a Letter from the Nabob to Mr. Hastings already in Evidence before the House.

Read, the following Extract from Page 542 of the Printed Minutes.

" Read, Extract of a Letter from the Nabob Vizier to Mr. Hastings—received 24th of February 1780, from Book 116, beginning at Page 136 of the same Book.

" From the Nabob Vizier.

Received 24th February 1780.

" I have received your Letter, and understand the Contents. I cannot describe the Solidity of your Friendship and brotherly Affection which subsisted between you and my late Father.

From the Friendship of the Company, he received numberless Advantages; and I, notwithstanding I was left an Orphan, from your Favour and that of the Company, was perfectly at Ease, being satisfied that every Thing would be well, and that I should continue in the same Security that I was during my Father's Lifetime, from your Protection. I accordingly, from the Day of his Death, have never omitted to cultivate your Favour, and the Protection of the Company, and whatever was the Desire and Directions of the Council at that Time, I have ever since conformed to, and obeyed with Readiness. Thanks be given to God, that I have never as yet been backward in performing the Will of the English Company, of the Council, and of you, and have always been from my Heart ready to obey them; and have never given you any Trouble from my Difficulties or Wishes. This I have done simply from my Knowledge of your Favour towards me, and from my being certain that you would learn the Particulars of my Distresses and Difficulties from other Quarters, and would then shew your Friendship and Good-will in whatever was for my Advantage: But when the Knife had penetrated to the Bone, and I was surrounded with such heavy Distresses that I could no longer live in Expectations, I then wrote an Account of my Difficulties.—The Answer which I have received to it is such, that it has given me inexpressible Grief and Affliction. I never had the least Idea or Expectation from you and the Council, that you would ever have given your Orders in so afflicting a Manner, in which you never before wrote, and which I could not have imagined. As I am resolved to obey the Orders and Directions of the Council without any Delay, as long as I live, I have, agreeable to those Orders, delivered up all my private Papers to him, that when he shall have examined my Receipts and Expences, he may take whatever remains. As I know it to be my Duty to satisfy you, the Company and Council, I have not failed to obey in any Instance; but requested of him that it might be done so as not to distress me in my necessary Expences. There being no other Funds but those for the Expences of my Muteseddies, Household Expences, and Servants, &c. he demanded these in such a Manner, that, being remediless, I was obliged to comply with what he required. He has accordingly stopped the Pensions of my old Servants of 30 Years, whether Sepoys, Muteseddies, or Household Servants, and the Expences of my Family and Kitchen, together with the Jaghiers of my Grandmother, Mother, and Aunts, and of my Brothers and Dependents, which were for their Support. I had raised 1500 Horse and 3 Battalions of Sepoys, to attend upon me; but as I have no Resources to support them, I have been obliged to remove the People stationed in the Mahals, and to send his People into the Mahals; so that I have not now One single Servant about me. Should I mention what further Difficulties I have been reduced to, it would lay me open to Contempt. Although I have willingly assented to this, which brings such Distress on me, and have in a Manner altogether ruined myself, yet I failed not to do it; for this Reason, because it was for your Satisfaction and that of the Council; and I am patient and even thankful in this Condition: But I cannot imagine from what Cause you have conceived Displeasure against me.—From the Commencement of my Administration, in every Circumstance I received Strength and Security from your Favour and that of the Council; and in every Instance you and the Council have shewn your Friendship and Affection for me: but at present, that you have sent these Orders, I am greatly perplexed.

" Sir, I was in Hopes, from your Friendship, that if, which God forbid, any Displeasure should arise in your Mind, you would have first given me your Advice on it, in such a Manner as is usual to Persons of Distinction, and where I should have learnt it, were it true, I should be the more abashed by it; and having explained and reconciled it to you, whatever might be your Wish and that of the Council, which might have been for my Advantage, it should be complied with; or if it had been false, I should have written so to you, that it might be explained to you fully. At present, assenting to every Thing which is required of me, I have executed your Orders; but am in Hopes of your Favour, that I may some Time or other have a Meeting with you, in which I may make known to you all my Distresses, and after that perform whatever may be your Will. I shall not trouble you with long Accounts of my Losses respecting my Affairs; for all my Concerns and Dignity depend on you and the Council, and you will perform every Thing which is for my Advantage and Interest, and for the Honour and Credit of the Company and of you.—This is not delayed by my Requests. As you and my late Father were like Brothers, I am in the same Degree as your Nephew. I am therefore confident, that you will direct whatever may appear to you adviseable for me. I am only wishing for a Meeting with you; and I hope from your Friendship, that whatever you may determine upon for this Business, or whatever Place you can come to from Calcutta, you will inform me of it; or should you have no Leisure for it, I will repair to Calcutta. It is necessary you write all these Circumstances to me.—Sir, if from your Friendship you should write your Assent to this, it is well; I will come with great Satisfaction and Pleasure; and although you should forbid my coming, I will not put it off, but shall be the more desirous of it, since I have not One single Person near me who could make much Preparations necessary for the Journey, not even one Attendant. I shall, however, travel alone to your Quarter with great Pleasure. My Situation absolutely requires it, as I cannot at present remain here by any Means. If I have once an Interview with you, I shall have my Heart at Ease; after that, whatever your Orders and those of the Council may be, they shall be obeyed. At present, that it is difficult for me to support myself alive, by the Blessing of God, you who are prudent can remove my Grievs, and are favourably inclined to me, and

and will perceive, that when I am reduced to that State, that all my Servants are dismissed, and my Household Expences, and even my Kitchen, stopped, how can I support it, or remain alive? I am ready and resolved to preserve the Friendship and Good-will of you and the Council to the utmost of my Life and Property, and have continually obeyed whatever has been your Orders and those of the Council. What the People of Distinction of every Nation desire, that their Name, Honour, and a Sufficiency for their unavoidable Expences may be preserved to them, I have no other Wish. If, which God forbid, this should not take Place, it will be difficult for me to live One Instant.

"I am therefore hopeful, that you will favour me with an Answer to this Letter, agreeable to my Request. My sole Strength and Security is from your Favour and that of the Council. Further Particulars will be made known to you by Rajah Govind Ram (a)."

The Managers for the Commons stated, they should next produce a Letter from the Court of Directors to the Governor General and Council, dated October 18th 1780, and which arrived in Bengal in April 1781; to prove that the Company condemned these Allowances to Sir Eyre Coote, and ordered them to be discontinued.

Read, from Book 431, already delivered in, the following Extract of a Letter from the Court of Directors to the Governor General and Council at Fort William in Bengal, dated London, the 18th October 1780.

4. "Your Proceedings relative to several extra Allowances granted to Sir Eyre Coote have been but a few Days before us; by an early Opportunity we shall give you our Sentiments and Instructions fully upon that Subject; at present, we only observe, that these Allowances appear to us in a Light so very extraordinary, and so repugnant to the Spirit of a Resolution of the General Court of Proprietors respecting the Allowance made to General Clavering, that we positively direct that they be discontinued immediately, and no Part thereof paid after the Receipt of this Letter.

(Signed at the End of the Letter)

"London,
the 18th October 1780.

"J. Stables, W. Devaynes,
F. Baring, L. Sullivan,
J. Manship, R^d Becher,
Ja^s Moffatt, Ben. Booth,
W. G. Freeman, Jn^r Michie,
W^m James, Jn^r Harrison,
Tho^s Cheap, L. Darell Jun^r,
Rob^t Gregory."

Read, from Book 435, already delivered in, the following Extract of a Consultation of the 27th April 1781.

"Fort William, 27th April 1781.

Pub. Dep^t.
Friday.

"At a Council; Present,
The Honourable Warren Hastings, Governor General, President; and
Edward Wheler Esquire.

Lieut^t Gen^l Sir Eyre Coote K. B. absent on Command at the Presidency of Fort St. George.

"There being no Meeting of the Council on the Day on which the Dispatches of these Ships arrived, those of the Lively Brig, which were brought by the Earl of Dartmouth, and made Part of a Packet from Fort Saint George, were carried to the Governor General by the Secretary, in whose Presence they were opened and read, and afterwards communicated by the Secretary to Mr. Wheler. Having been opened, they were found to contain General Orders from the Court of Directors, dated 5th July and 16th * October 1780, with the other Papers mentioned in the List of † Packet.

* Sic in Orig.
† Sic in Orig.

"Ordered, That the several Papers of the Dispatch, and Paragraphs of the Letters, be distributed to the Officers and Persons to whom they belong.

"Ordered, That a Copy of the Paragraph respecting the Allowance granted to General Sir Eyre Coote be transmitted to him, and that the Commissary General be informed, that the Allowance granted by this Government to General Sir Eyre Coote in the Year 1778 is discontinued, no Part of it being to be paid after this Date.

(Signed at the End of the Consultation)

"Warren Hastings,
Edw^d Wheler."

The Managers for the Commons stated, they should here refer to a Part of Mr. Middleton's Examination, already in Evidence, respecting certain Transactions relative to this Matter, to shew that Mr. Hastings was in the general Habit of charging upon the Vizier contrary to the Treaty.

Read, the following Extract from Page 937 of the printed Minutes.

Q. Did you think yourself authorized to place any Person upon the Nabob's List; for Pensions or Gratuities, after the Treaty of Chunar?

A. Upon my own Authority?

Q. Yes.

A. No; certainly not.

Q. Upon whose Authority did you do it?

A. Is the Fact established that I did do it?

Q. Did you ever do it?

A. I do not know I did.—No; certainly I did not.

Q. It is in your own Evidence that you did do it. With respect to the Communication made with Mr. Hastings respecting Persons, to be placed privately upon the Nabob's Pension List, you said you had not received a written Order from Mr. Hastings, but that it was a verbal Communication, that the Names were given to you verbally?

A. I recollect it; and I believe it will be found, by recurring to that Evidence, that it meant Persons who were to stay at Lucknow. I do not recollect it mentions a single Word about Pensions.

Q. Recollect whether you did or did not receive any Instruction, Direction, or Communication, from Mr. Hastings, respecting any Persons continuing to receive Pensions, or Gratuities, after the Treaty of Chunar?

A. I am very sorry to have Occasion to throw myself on your Lordships Indulgence again: This is a Question which certainly must criminate myself; if I did receive such Orders, or acted upon them; or without acting upon them, if I did not disclose them to my Superiors, I was clearly criminal.

Q. The Question now is, Whether you did receive any Orders to that Effect?

A. If I did receive them, and did not disclose them, I believe it will be found I certainly was criminal in that Respect.

Q. Whether you did not receive Instructions from the Board, whom you state as your Superiors, and to whom you was bound to communicate every Thing, to obey Mr. Hastings's Orders as clothed with the Authority of the whole Council?

A. Certainly, during his Continuance in the Upper Provinces.

Q. Then whether you did not receive such Orders from Mr. Hastings?

A. May I ask what Orders?

Q. To continue any Persons whatsoever upon Pensions, or Gratuities, after the Treaty of Chunar?

A. I really do not recollect that I received any Orders from Mr. Hastings upon the Subject. I certainly have mentioned, that I received a Communication from Mr. Hastings in Conversation, mentioning the Gentlemen that were to remain at Lucknow.

Q. Whether, according to the best of your Recollection, you have not received some Orders or Communications, respecting Persons to continue upon Pensions or Gratuities after the Treaty of Chunar?

A. I really do not recollect I did; but I must again observe, that if I did receive them, and did not disclose them, I was criminal in so doing; if I am not so, I wish to be informed by your Lordships. According to my own Conception, I am criminal in receiving such Order without disclosing it.

Q. Did you receive the Orders or not?

A. I do not recollect I received any Orders, but I believe I have occasionally received Recommendations from Mr. Hastings.

Q. Whether you did not receive some of those Recommendations before you parted with Mr. Hastings at Chunar?

A. I rather think I did (a).

(a) Vide supra, Page 937.

Read, the following Extract from Mr. Hastings's Defence, delivered at the Bar of the House of Commons, beginning at Page 287 of the same.

" When Sir Eyre Coote arrived in Calcutta in April 1779, he proposed visiting the different Stations of the Army, and he moved at the Board, That a Field Establishment should be formed for him. The Allowances of General Stibbert, the Provincial Commander in Chief, as authorized by the Court of Directors, were very considerable, his Table Allowance alone was above £. 7,000 a Year; and Sir Eyre Coote's Allowances of every Kind, as ordered by the Court of Directors, £. 6,000 a Year. An Establishment was formed for Sir Eyre Coote, for Boats, Budge-rows, Table Expences, Camp Equipage, &c. when in the Field, calculated, as I firmly believe, so as not to exceed the additional Expences which he incurred by his Absence from Calcutta; for it was then only that he was to draw these additional Allowances. On his crossing the Carumnassa, the Allowances were paid by the Nabob Vizier. In the Month of September 1780, he returned to Calcutta, and embarked for Madras with a powerful Reinforcement, and a large Supply of Treasure, during the Height of the Monsoon, on a most important and hazardous Service. In the Month of April 1781, the Order of the Court of Directors arrived, disapproving of the Allowances which we had granted to Sir Eyre Coote, and positively ordering them to be struck off; and they were immediately discontinued. By what Authority Sir Eyre Coote continued to receive this Allowance from the Nabob Vizier, I know not; but I have a faint Recollection of Mr. Croftes having mentioned the Circumstance to me a short Time before Sir Eyre was returning to Madras, in the Month of January 1783; and I have no Doubt of his having received my Authority to write to Mr. Bristow. Sir Eyre Coote was then on the Point of returning to Madras, with a Constitution worn out in the Publick Service, by Exertions almost beyond Belief. His Life was of the utmost Importance: I had not a Doubt of his Success against Mr. Bussy, could he have arrived in tolerable Health upon the Coast.—This was not a Time for me to dispute any Point that could add to his Chagrin. His Expences were considerable: He had Three separate Establishments; One at Calcutta, One at Madras, and the Third in the Field. The Allowance, as I understood, was voluntarily paid by the Vizier. I could have had no private Interest of my own to gratify at any Period of our Connection, more especially at a Moment when the whole World knew that Sir Eyre Coote could not live Six Months, having, when he returned to Madras, as he truly said, ' One Foot in the Grave, and the other at the Edge of it.'—This Honourable House is now in Possession of the Transaction, and of my Motives for the Share which I had in it." (a)

The Managers for the Commons stated, that, in order to explain this Passage in the Defence of Mr. Hastings, they would now proceed to read certain Parts of the Charges against Mr. Hastings, presented to the House of Commons, to which Parts the Passage of Mr. Hastings's Defence, now read, is in Answer.

Read, the following Extract from the 7th Article of Charge presented to the House of Commons against Mr. Hastings, beginning at Page 26 of the same.

" That on the 1st of November 1779, the said Warren Hastings did move and carry it in Council, ' That the Resident at the Vizier's Court should be furnished with an Account of all the ' extra Allowances and Charges of the Commander in Chief, when in the Field, with Orders to ' add the same to the Debit of the Vizier's Account, as a Part of his General Subsidy; the Charge ' to commence from the Day on which the General shall pass the Carumnassa, and to continue till ' his Return to the same Line.'—That this additional Expence, imposed by the said Warren Hastings on the Vizier, was unjust in itself, and a Breach of Treaty with that Prince, the specific Amount of the Subsidy to be paid by him having been fixed by a Treaty, to which no Addition could justly be made, but at the previous Requisition of the Vizier.—That the Court of Directors, in their Letter of the 18th of October 1780, did condemn and prohibit the Continuation of the Allowances above-mentioned to Sir Eyre Coote, in the following Words: ' These Allowances ' appear to us in a Light so very extraordinary, and so repugnant to the Spirit of a Resolution of ' the General Court of Proprietors, respecting the Allowance made to General Clavering, that we ' positively direct that they be discontinued immediately, and no Part thereof paid after the Receipt ' of this Letter.'—That on the 27th of April 1781, the Governor General and Council, in Obedience to the Orders of the Directors, did signify the same to the Commissary General, as an Instruction to him, that the extraordinary Allowances to Sir Eyre Coote should be discontinued, and no Part thereof paid after that Day.—That it appears, nevertheless, that the said extra Allowances (amounting to above Twenty thousand Pounds Sterling a Year) were continued to be charged to the Vizier, and paid to Sir Eyre Coote, in Defiance of the Orders of the Court of Directors, in Defiance of the consequent Resolution of the Governor General and Council, and in Contradiction to the Terms of the original Motion, made by the said Warren Hastings, for adding those Allowances to the Debit of the Vizier, viz. ' That they should continue till Sir Eyre Coote's Return to

(a) Vide Appendix, N° CLXXXVIII.

* the Carumnaffa.—That Sir Eyre Coote arrived at Calcutta about the End of August 1780, and must have crossed the Carumnaffa, in his Return from Oude, some Weeks before, when the Charge on the Vizier, if at any Time proper, ought to have ceased.—That it appears that the said Allowances were continued to be charged against the Vizier, and paid to Sir Eyre Coote for Three Years after, even while he was serving in the Carnatic; and that this was done by the sole Authority and private Command of the said Warren Hastings."

Vide Mr. Bristow's Letter to the Governor General and Council, 22d March, 1785.

Read, the following Extract from the 16th Article of Charge, presented to the House of Commons, against Mr. Hastings, beginning at Paragraph 36 and Page 39 of the same.

36. " That besides these enormous Demands, which were in Part made for the Support of several Corps of Troops under British Officers, which by the Treaty of Chunar ought to have been removed, very large extra Charges, not belonging to the Military List of the said Nabob, and several Civil Charges and Pensions were continued, and others newly put on since the Treaty of Chunar; namely, an Allowance to Sir Eyre Coote of 15,554 Rupees $\frac{7}{8}$ Month."

Read, a further Extract from the said 16th Article of Charge, beginning at Paragraph 92 and Page 156 of the same.

92. " That the aforesaid Bristow did also produce the following Letter, in Proof that Mr. Hastings knew and approved of large Salaries to British Subjects upon the Revenues of Oude, and which he did declare that nothing, but the Necessity of Self-defence, could have induced him to produce.

" Dear Bristow,

" Sir Eyre Coote has some Field Allowances to receive from the Vizier; they amount to Sicca Rupees 15,554 $\frac{7}{8}$ Month, and he has been paid up by the Vizier to the 20th August 1782. The Governor has directed me to write to you, to request you to receive what is due from the Vizier from the 20th August last, at the Rate of Lucknow Sicca Rupees 15,554 $\frac{7}{8}$ Month, and send me a Bill for the Amount, the Receipt of which I will acknowledge in the Capacity of Sir Eyre Coote's Attorney; and the Governor desires that you will continue to receive Sir Eyre Coote's Field Allowances at the same Rate, and remit the Money to me as it comes in.

" Calcutta,

(Signed)

" Charles Croftes."

" January 25th, 1783.

93. " That Sir Eyre Coote aforesaid was, at the Time of the said Field Allowances, not serving in the Country of Oude, on which the said Allowances were charged, but in the Carnatic."

The Managers for the Commons informed the House, they should now conclude the Evidence on this Branch of the Article, by reading the Dates of certain Letters, in order to shew where Sir Eyre Coote was at those respective Times.

Read, from Book 438, already delivered in, the following Extract of a Consultation, dated 29th of November 1780, beginning at Page 3 of the same Book.

[" Fort William, 29th November 1780.

" At a Council; Present,

The Honourable Warren Hastings, Governor General, President;

and

Edward Wheler Esquire.

Mr. Francis indisposed;

Lieutenant General Sir Eyre Coote K. B. absent on Service at the Presidency of Fort St. George.]

§ (" The following Letter from Lieutenant General Sir Eyre Coote, having been received since the last Meeting of the Board, it was circulated to the several Members for their Perusal.

" Gentlemen,

" I did intend myself the Honor of writing a few Lines to you by Return of the Pilot Vessel, which conducted the Kingston out of the River. Your not having received such Advice, and the Pilot not having returned, would no Doubt alarm you, and render you uneasy about our Safety, the more especially as you had before been informed of the deplorable State the Ship was in from the Sickness of both her Officers and Crew; so great was our Distress on the former Score, that we were happy in the Necessity which the Severity of the Weather reduced us to, of carrying off the Pilot, Mr. Simpson, who has been of infinite Service to us in the Course of the Voyage, for which, and for the Skill, Activity, and Resolution, with which he conducted the Ship out of Pilot's Water, under a most violent Gale of Wind, I mean, when he leaves this

Sir Eyre Coote.

" Place,

" Place, to recommend him to your Board for an adequate Reward. The Storm, with variable Winds, lasted for upwards of Two Days. On the 23d we were obliged to come to an Anchor, we imagine about the Latitude of Ballasore, but the Wind coming round to the Northward, and still blowing very hard, we cut our Cable, and got fairly to Sea. The Remainder of our Voyage proved upon the Whole very favourable, and") § [I have the Pleasure to acquaint you, that I landed safe Yesterday Afternoon;] § (" but in the Morning had the Mortification to observe from the Ship, the Country both to the Northward and Southward of this Place in Flames: The Villages, as near as Five Miles round, have been burnt and destroyed by Hy-

der's Cavalry.
" On coming on Shore, I was somewhat consoled to learn that Hyder had not taken Arcot; the Garrison having, as I have been informed, made a most noble Defence, not only repulsed, with considerable Loss, in Two or Three Attempts to storm the Petto, after having made practicable Breaches, but had also cut off a great many of his Men, by some very spirited Sallies. The People in Command of this Garrison, both White and Black, deserve the highest Commendations for their Bravery, and so sensible am I of their Merit, that I shall this Day write them in the highest Terms of Approbation, and afford them every Encouragement to continue their gallant Conduct, by the most positive Assurances of speedy Support.

" So thoroughly, Gentlemen, am I convinced that the Success of the War, in a great Degree, turns upon the Safety of Arcot, that I am determined to relieve it; although, by all Reports yet made to me of the State of the Army here, I do not find that, including the Detachment I have brought with me, I shall be able to muster more than 1,300 Europeans, and not above 2,000 effective Sepoys in the Field, and about 1,000 Cavalry. This is but a very small Force for so great an Undertaking; but the Situation of our Affairs in general, and the Importance of the Object require, that we should exert ourselves with that Degree which at any other Period might be termed Rashness.

" I have the Pleasure to inform you, that all the Vessels with the Troops and Stores are safely arrived, and the Troops and Money that came with me, on the Kingston, safely landed. The Frigate *Mason*, from the Strength of the Current, has been drove Five Leagues to the Southward; and, as her getting up again is extremely uncertain, Mr. Whitehill Yesterday Morning dispatched Two of the Company's Schooners to bring the Regiment and the Money she has on Board up.

" I had written thus far in my Letter, and with, I must own, a flattering Hope that I might raise the Siege of Arcot, retrieve the Honour of the British Arms on this Side India, and once more restore Peace and Tranquillity to the Carnatic. But to the total Destruction of that Hope, and to my utter Regret and Concern, several different Accounts are just come in, and from, I am afraid, too good Authority to be doubted, informing us of the Fall of that Garrison. I transcribe and send you them on a separate Paper for your more particular Information.

" I had in my own Mind formed Plans for arranging and conducting our Military Operations in this Quarter, but this Blow has disconcerted me not a little, as I am of Course obliged to think of other Means, much more difficult and more hazardous. Any Resources I could draw from the Southward are but trifling; besides, were they of so much Consequence as to make me desirous of commanding them, I could not, on Account of the Monsoon, bring them by Sea, and by Land the Communication is entirely cut off by Hyder; neither can I venture on bringing any more from the Northward, until I know for certain the Footing we are likely to be on with the Nizam and the Maharattoes, as I should thereby leave the Circars totally unprotected.

" I have this Day received a Letter from General Goddard, dated the 6th September, from Bombay; he was then preparing to return to Surat. I have likewise later Accounts that inform me he had not begun the Siege of Bassein sooner than some Time in last Month. I am now, if possible, more convinced than I was before of the Necessity of that Army acting against Hyder, on the other Side of India, whatever may be the Issue of our Negotiations with the Mahrattas, which however, I trust, will terminate in a Manner corresponding with what were our unanimous Wishes when I had the Honour of being with you at the Board.

" Your Dispatches to Mr. Whitehill have been delivered. We have had no Council To-day; but we are to meet To-morrow. I suppose they have already informed you of the Nabob Walla Jah having relinquished the Guntore Circar, and of its being restored to the Nizam. When I shall have better informed myself on this and other Subjects, I shall do myself the Honour of writing to you more fully."

§ [" I have the Honor, &c.

(Signed) " Eyre Coote.] (a)

(Signed at the End of the Consultation)

" Edw^d Wheler."

To shew Sir Eyre Coote's Return,
Read, from Book 62, already delivered in, the following Extract of a Consultation,
dated 21st October 1782, beginning at Page 462 of the same Book.

" Fort William, 21st October 1782:

" At a Council; Present,
The Honourable Warren Hastings Esquire, Governor General, President;
Edward Wheler
and } Esquires.
John Macpherson,

Lieutenant General Sir Eyre Coote K. B. absent on Service at Fort St. George.

" Received the following Letter from Lieutenant General Sir Eyre Coote.

" Gentlemen,
" I have the Honour of acquainting you, that I arrived here this Morning from Madras, in His Majesty's Ship Medea, and shall proceed to Calcutta with the next Tide. I have benefited by the Sea Air, am better than when I left the Coast, though yet very weak.

Pub. Dept.
Lieut. General
Sir Eyre
Coote.

(Signed at the End of the Letter)

" On Board the Medea,
20th Oct' 1782.

" Eyre Coote.

(And at the End of the Consultation)

" John Macpherson."

The Managers for the Commons informed the House, they should have next proceeded to shew, that Sir Eyre Coote left Calcutta in March 1783; but Mr. Hastings having admitted Sir Eyre Coote's being on the Coast, in his Answer, had rendered such Proof unnecessary:

That they should now therefore go to another Head of the Article, and produce Evidence relative to the Agency, in the Person of Mr. Auriol, for supplying Fort St. George with Grain, and Rice in particular.

Read, from Book 33, already delivered in, the following Extract of a Consultation of the 14th December 1780.

" Fort William, 14th December 1780.

" At a Council; Present,
The Honble. Warren Hastings Esquire, Governor General, President;
Edward Wheler Esquire.

Lieutenant General Sir Eyre Coote absent on Command at the Presidency of Fort St. George.

" Read, the following Letter from Mr. Auriol:

" Honble. Sir, and Sirs,
" The Intelligence received from Fort St. George of a present Scarcity of all Kinds of Grain at that Place, and the Distress which General Sir Eyre Coote apprehends so numerous a Garrison may suffer, if not relieved by timely Supplies from hence, induce me to offer the following Proposals for providing them, as I have an Opportunity at present of securing a Quantity of Tonnage, which may soon be otherwise engaged, and it will afterwards be difficult, if not impossible, to afford ample Relief to that Garrison, on Account of the reduced State of the Shipping of this Port.

Mr. J. P. Auriol, dated
7th Dec.

" I will engage to deliver at Fort St. George, in the Course of the present fair Season, excepting only against the Capture of Enemies and the Dangers of the Seas, the following Articles, viz.

50,000	Bags of good Cargo Rice,	at S ^r R ^r 6 8	7 ^d Bag of 2 B ^r M ^d .
15,000	Maunds of Wheat	7 12	D ^r of D ^r .
10,000	D ^r Pease	7 8	D ^r .
12,000	D ^r best Gram of different Kinds	7 8	D ^r .
10,000	D ^r middling D ^r	7	D ^r .
1,000	D ^r Tobacco	10	D ^r .
500	D ^r Betel	11 8	
1,000	D ^r Ghee	20	
1,000	Oil	14 4	
2,000	Sugar	18 8	D ^r .

" The Payment to be made One Third in Advance, One Third on Approbation of the Musters, and the Remainder on Proof of delivering the several Articles at Madras, or their actual Loss by either of the Dangers excepted against.

" The Prices of Ghee and Sugar may appear rather high, but they are not Objects of Advantage, when the Wastage is considered; and I have only inserted a small Quantity of each, because they are Articles of necessary Consumption.

" If my Proposals should be approved I request that the Honourable Board will be pleased to direct their Attorney to make out the Engagements as soon as possible, that I may lose no Time in securing the Tonnage that will be required.

* Sic in Orig.

" I beg leave to add, That if the Honble * Board should prefer supplying the Wants of the Presidency of Fort St. George by Agency, I will use my utmost Endeavours to effect it to their Satisfaction; that I will deliver my Accounts upon Honour, and expect only the usual Commission for my Trouble.

" I am, with the greatest Respect,

Honble Sir and Sirs,

Your most obedient Servant,

(Signed)

" J. P. Auriol."

" Fort William,
7th December 1780.

" Agreed, that Mr. James Peter Auriol be permitted to provide by Agency the Articles mentioned in his Proposals, deliverable as soon as possible, in any Quantities of each that he may be able to procure, excepting the Articles of Tobacco, Ghee, Betel, Sugar, and Oil, these being neither so necessarily wanted as Gram, nor so easy or convenient of Transportation, and that he be allowed a Commission of 15 $\frac{1}{2}$ Cent.

" Agreed also, that Mr. Auriol be appointed Agent of Supplies to the other Presidencies, and to the Island of St. Helena, with the same Commission.

" Ordered, that Notice of this Appointment be sent to the Buxey, that he may not in future provide Stores as usual for the Island of St. Helena.

(Signed at the End of the Consultation)

" Warren Hastings,
Edw^d Wheler."

Read, from Book 450, already delivered in, the following Extract of a Consultation of the 25th March 1782, beginning at Page 357 of the same Book.

" Fort William, 25th March 1782."

" At a Council; Present,

The Honble. Warren Hastings, Governor General, President;

Edward Wheler,

John Macpherson,

} Esquires.

Lieutenant General Sir Eyre Coote K. B. absent on Service at Fort Saint George.

" Read, the following Letter from the Accomptant General.

" Honble. Sir, and Gentlemen,

" In Obedience of your Orders of the 12th November 1781, I have now the Honour to report to you, that, on an Examination of the Accounts of the Agent for the Supplies to the other Presidencies, I find them to be correct in their Additions and Calculations, that they correspond with those of the Treasury in the Sums charged in the latter as advanced to him; that the Sums charged in his Accounts correspond with the Invoices of Supplies sent to the other Presidencies, that the Commission charged at 15 $\frac{1}{2}$ Cent. upon the Provisions supplied, upon the Charges of shipping them, and upon the Freight, is accurately computed.

" The Agent being upon Honour with respect to the Sums charged in his Accounts, for the Cost of the Articles supplied, I did not think myself authorised to require any Voucher of the Sums charged for the Demurrage of Sloops, either as to the Time of Detention or the Rate of the Charge, or of those for the Articles lost in going down the River, and on that Ground I thought myself equally bound to admit the Sums acknowledged as received for the Sales of Goods returned, without requiring Vouchers of the Rates at which they were sold (a).

(Signed at the End of the Letter)

" W^m Larkins, Accountant General.

(And at the End of the Consultation)

" Warren Hastings,
Edw^d Wheler,
John Macpherson."

(a) Vide Appendix, N^o CC.

Read,

Read, also, a further Extract from the same Book and same Consultation, beginning at Page 361 of the same.

" Ordered, that the Accounts inclosed in the above Letter be returned to the Accomptant General.

" The Board observe that the Rates of the Purchases made by the Agent being in general low, and his Charges reasonable, excepting Freight, which has been raised by the excessive Demand for Grain at Madras, and Commission upon the same, which has consequently been enhanced in proportion,

" Agreed, that his Accounts be passed up to the 31st December 1781 in their present Form; but from that Period that he draw no more Commission on the Freight, Charges of Shipping, or any other Charges, than the Rate of 5 $\frac{1}{2}$ Cent. being the customary Amount drawn by Merchants:

" And, as an Equivalent for any Advances of Money which it may be necessary for the Agent to make for carrying on the Service, if there should not be Assets in the Treasury to answer the Drafts made upon it in his Favour, Resolved, That he be allowed the current Interest of Calcutta upon all such Drafts from the Day of their Dates, until they shall be completely liquidated.

" Ordered, that Notice thereof be sent to the Accomptant General, and to the Sub-treasurer." (a)

The Managers for the Commons informed the House, that they should next proceed to prove that the usual and customary Rate of mercantile Commission, between Merchant and Merchant, in India, was 5 per Cent; and for this Purpose desired Mr. Brodie might be called in.

ALEXANDER BRODIE Esquire was accordingly called in; and, being sworn, was examined as follows:

Q. Was you long resident in India, and how long?

A. Ten Years.

Q. Was you engaged in Commerce upon your own Account, and had you the Means of knowing the usual Rate of Commission allowed by one Merchant to another?

A. Yes, I think I had.

Q. What is the usual Rate?

A. Five $\frac{1}{2}$ Cent. on the Cargoes purchased or sold.

Q. (*Cross-examined.*) Do you know any Case where the Person who receives the Commission is in Advance for his Principal, and whether the Commission varies in such a Case?

A. I think I recollect many Instances of that Kind where Advances were made by the Person employed, on Behalf of the Person employing, and yet on that Account no Addition has been made to the 5 $\frac{1}{2}$ Cent. except Interest on the Sums so advanced.

Q. What is the Amount of the Interest?

A. From 8 to 10 $\frac{1}{2}$ Cent.

Q. Do you know the Practice at Bengal and other Settlements?

A. I certainly do, because I had a great many Consignments from Bengal, though I resided at Madras.

Q. Do you know what were the Rates of Allowances for public Agencies, such as Mr. Auriol's was, where the Agent found the Vessel as well as the Commodity, and made Advances of Money?

The Managers for the Commons objected to the Question.

Q. Whether you know what Rate of Commission was usually allowed by Government for such Commission as Mr. Auriol's was? Do you know what the Nature of Mr. Auriol's Employment was?

A. Yes.

Q. Then what has been the usual Allowance made to Agents employed under the like Circumstances as those in which Mr. Auriol was employed?

A. I never knew of any other than Mr. Auriol's.

Q. Do you know whether the Rice sent to Madras by Mr. Auriol was not of a particularly excellent Quality, and commended for being so?

A. To the best of my Recollection a great Part of it was extremely good; but I believe it happened, as it must in such Cases, that a Part of it was likewise bad.

Q. Have you not upon some Occasion written, that the Consignment from Bengal by Mr. Auriol was of a very excellent Quality, and greatly superior to that delivered in to the Stores by Mr. Ferguson?

A. Yes, I think I have; but I cannot now recollect the Particulars.

Q. When you wrote that Account, did you mean to convey your Opinion of the Manner in which the Contract was executed?

A. With respect to the Quality of the Rice, I did.

Q. Have you not represented Mr. Ferguson's Consignments as being inferior to Mr. Auriol's in Quality by at least 20 ^{per} Cent?

A. Yes, I have; but I made many Reports to Government from Madras at different Times, containing different Opinions of the Quality, at the Time it was received.

The Witness was directed to withdraw.

Read, from Book 427, already delivered in, the following Extract of a Consultation of the 7th September 1781.

“ Fort William, 7th September 1781.

“ At a Council; Present,
Edward Wheler Esquire.

Pub. Depart.
Monday.

- The Honble. the Governor General absent on a Visit to the Northern Provinces.
Lieutenant General Sir Eyre Coote absent on Service at Fort St. George.

“ Read the following Letter from Bombay:

“ Gentlemen,

“ We have received your Consignment of Rice by the Devonshire Grab.

“ The Charges of this Rice are so excessively high and unusual to us, particularly the Articles of Freight and Commission, that they could not but attract our Observation, and they engaged our Attention the more strongly, as we understand a large Quantity is provided for this Presidency upon the same Terms. The Rice, with the Addition of the Charges, stands the Company in upwards of Nine Rupees a Bag at Calcutta, and we have judged it incumbent on us to take Notice so far of this expensive Supply, as this Presidency will of Course stand charged with a heavy Debt on that Account; and our Wants were not so pressing as to require so expensive a Relief (a).

(Signed at the End of the Letter)

“ W^m Hornby,
&c. Council.

(And at the End of the Consultation)

“ Edw^d Wheler.”

Read, from Book 452, already delivered in, the following Extract of a Consultation of the 24th November 1783, beginning at Page 427 of the same Book.

“ Fort William, the 24th November 1783.

“ At a Council; Present,
The Honourable Warren Hastings, Governor General, President;
Edward Wheler,
John Macpherson, } Esquires.
John Stables,

Acting Accountant General, ad sept.

“ 14th. I find that during the Period for which the Agents Accounts are now under Investigation, he includes the Cost of Bags, Matts, Jars, and Dippers, with the Merchandize, and says, that he regards them as Purchases: The Board will therefore determine whether these Articles come within this Description, or should be considered as a Part of the Charges.” (b)

(a) Vide Appendix, N^o CCI.

(b) Vide Appendix, N^o CCII.

Read,

Read, a further Extract from the same Consultation, beginning at Page 432 of the same Book.

✂ [" Read, the following Remarks from Mr. Auriol, on the preceding Letter.]

§ (" Remarks on the Accountant General's Audit, dated 2d Sept. 1783.

✂
Mr. Auriol's
Remarks.

" On Par. 4th. These Eight Seats are in Store, and ready to be delivered up.

" 6th. These Tarpaulings were made to cover and preserve Rice in the Way down to the Ships at Culper and Kedjerce; Seven of them have been lost in this Service, and the Remainder sold at Outcry, for which Credit will be given.

" 9th. Commission was charged, as usual in my Office, on the Invoices by these Vessels; but it occurred to me, that the Engagements for freighting them had been concluded by the Board, and not immediately with me, for this Reason I thought I was not properly intitled to the Commission; I therefore struck out what had been already charged, carried the Amount of it to Credit, and desisted from charging any on Mr. Touchet's Vessels from that Time." §

✂ [" 11th. This was incurred as the necessary Consequence of employing an Agent at Coringa to perform the Service; but I limited the Amount of Freight, under which only I would allow him to charge Commission, in order to stimulate the Endeavours of this Agent, Mr. Hamilton, to engage Vessels at as low a Freight as possible. The antecedent Season he charged the same Commission upon all the Vessels he had engaged for me, and I paid it out of my own Allowance, which, before the Deduction, was sufficient to afford it.]

§ (" 12th. The Account required has been prepared in Course, and accompanies this. It shews the Produce of the Rice received back from Mr. Touchet's Vessels, and the Amount Sale at a publick Outcry, made by the Company's Auctioneer, with the Balance of other Articles remaining in Store; but N^o 3. C. R^o 1,955 3 2 is improperly inserted, that being the Amount of an actual Deficiency on the Rice received back from Mr. Touchet the preceding Season, caused by Wastage; not a Charge for Rice laden upon his Vessels, as the Accountant General expresses it.

" 13th. An Account of the Produce of these Stores, sold at the same Time, is likewise enclosed, and the Amount carried to Credit." §

✂ [" 14th. I can with the strictest Truth declare, that the Idea suggested by this Paragraph never once struck me, until the Paragraph itself pointed it out. The Rule I had observed, in Consequence of the Board's Resolution when they reduced my Commission upon Charges, was to draw 25 $\frac{1}{2}$ Cent. upon all Purchases, and 5 $\frac{1}{2}$ Cent. upon all Charges; but I only drew this upon Invoices actually laden. I drew no Commission whatever upon more troublesome Services, such as building Golas, Expence incurred at them, Demurrage of Sloops and Boats, Charges of loading and unloading Mr. Touchet's Vessels, or even on the first Purchase of Gram, made for that Purpose in January 1782, which was not actually invoiced and dispatched; nor did I charge Commission on the other incidental Expences which appear in my Monthly Accounts; and I thought this a liberal Construction of the Board's Resolution, which admitted a Claim of 5 $\frac{1}{2}$ Cent. upon all Charges. If I have erred in any Part of it, my Accounts are open to Correction, and I shall be satisfied with any Adjustment the Board may think fit to order.] (a)

" Calcutta,

(Signed)

" J. P. Auriol." ✂

" 10th November 1783.

(Signed at the End of the Consultation)

" Warren Hastings,
Edw^d Wheler,
John Stables."

Read, from Book 456, already delivered in, the following Extract of a Consultation of the 24th February 1783.

✂ [" Fort William, the 24th February 1783.

" At a Council; Present,
The Honble. Warren Hastings, Governor General, President;
Lieutenant General Sir Eyre Coote,
Edward Wheler,
John Macpherson, } Esquires.
John Stables,

Pub. Dept.
Monday.

" Honble. Sir and Sirs,]

§ (" I have had the Honor to receive your Orders, founded on the Commands of the Honble. the Court of Directors, dated 12th July, for putting an End to my Commission on the Supplies

✂
Agent for
Supplies.

(a) Vide Appendix, N^o CCII.

" to the other Presidencies, as they are pleased to direct that this Business shall in future be performed by Contract.

• Sic in Orig.

" I • compliance with your Directions, I had sent down all the Gram necessary for loading Mr. Touchet's Vessels, which were ready before the 20th Inst. and had purchased Rice for loading the Company's Ships bound to Madras and Bombay, a great Part of which is already on Board. After this Service is accomplished, I shall consider my Office abolished; and in order to prevent Confusion in Accounts, I beg Leave to propose, with your Approbation, to adjust my Disbursements and Commission finally, with the Invoices of these Dispatches, and to receive an Order for the Balance which may then appear to be due to me.

" It is possible I may not meet with universal Credit, if I attempt to draw a Comparison between the annual Rates of my Agency, and those of a probable Contract; and this is a Subject which perhaps I could not write upon without a Bias. My original Proposal was either for a Contract or an Agency; the Board thought it preferable to adopt the latter. The necessary Supplies to Fort St. George have exceeded all Expectations formed at that Time, and the Extent of them has rendered the Agency an Object of such Magnitude as it is, though less in Fact than it appears to be, as I have explained in former Letters, from the considerable private Loans I have taken up to support it, and the Accumulation of Interest upon them. I do not urge this now as an Objection, but merely to set the Matter in its proper Light.

" Whatever my Pretensions might have been from long and faithful Services in a laborious Line of Duty, I beg Leave to acknowledge with great Gratitude to my Superiors, that I feel the Obligation of my Reward. I am truly sensible of my Duty to the Publick Interests, and from a pure and disinterested Wish to promote them to the utmost of my Abilities," § [" I am induced to make an Offer of my Services, in the present critical and necessitous Time, to continue furnishing the Supplies, which are so very essential to the Existence of the Inhabitants at Fort St. George, for the present Season, or till the 31st December next, without any Commission or Advantage whatsoever to myself, and to such Extent as you may judge expedient to grant me the Resources; for I hope it is unnecessary to add, that I shall do it upon the easiest Terms which may be procurable, and deliver my Accounts monthly, as at present upon Honour, or under such Obligation as you think it proper to lay upon me.]

§ (" For this Offer I have no sinister Motive, nor any Object in View, but the Publick Benefit, to which I am actuated by a zealous Attachment to the Company, in whose Service I have risen to my present Station, and to the true Interest of my Country, as a faithful Subject of it; and I make the Offer, because the President and Council at Fort St. George, in their Letters of the 11th September and 21st December, and others, have repeatedly requested that this Government would continue and increase the publick Supplies to them; and in the last they say, ' We repeat our Request, that you will be pleased to send us as large Quantities as you can procure Tonnage for, which we desire, because the Supply of private Traders is always precarious, and that it is likely you may send it to us on cheaper Terms than we can reasonably expect from the Individuals, who must live by the Profit they gain upon it.'") §

✍

" Calcutta,
the 24th Feb. 1783.

[" I have the Honor to be,
Honble Sir and Sirs, &c.

(Signed) J. P. Auriol." ✍

(Signed at the End of the Consultation)

" Warren Hastings,
John Macpherson,
John Stables."

Read, from Book 457, already delivered in, the following Extract of a Consultation of the 10th April 1783, beginning at Page 168 of the same Book.

" Fort William, 10th April 1783.

Pub. Dept.
Thursday.

" At a Council; Present,
The Honourable Warren Hastings, Governor General, President;
Edward Wheler,
John Macpherson, } Esquires.
John Stables,

• Sic in Orig.

" Agreed to accept Mr. Fergusson's Proposals for One hundred and forty thousand Bgs. * at Six Sicca Rupees Twelve Annas $\frac{3}{4}$ Bag.

" Ordered, That the Company's Attorney be directed to prepare a Contract accordingly.

" Agreed also to accept the Honble. Robert Lindsay's Proposals for Fifteen thousand Bgs. This Proposal being of a different Nature, and very eligible in itself, the Board think it worthy of their Acceptance; but the Terms of Freight being left for the Board's Decision,

" Agreed,

" Agreed, That Six Rupees, Twelve Annas, the Rate at which Mr. Ferguson is to supply his Rice, be offered to Mr. Lindsay for his Acceptance.

" Warren Hastings,
John Stables." (a)

The Managers for the Commons informed the House, they had closed their Evidence on the Subject of Mr. Auriol's Agency; and should now proceed to the other Agency charged in the Article, in which Mr. Belli was employed to supply a Depot of Provisions at Fort William.

Read, from Book 453, already delivered in, the following Extract of a Consultation of the 4th November 1776, beginning at Page 422 of the same Book.

[" Fort William, the 4th November 1776.

" At a Council; Present,
The Honourable Warren Hastings, Governor General, President;
Richard Barwell, } Esquires.
Philip Francis, }
Lieutenant General John Clavering indisposed.

" The Governor General delivers in the following Minute.

" The Governor General recommends the following Plan for supplying the Garrison of Fort William with a continual Store of Provisions sufficient for a Siege. He supposes the probable Number of Europeans to consist of 2,500 Men, and of Sepoys and other Natives attendant on the Garrison, 13,000, as per Estimates N^o 1 and 2. On these Data the Estimates N^o 3 and 4 of the Provisions required for Europeans and Natives respectively are formed; N^o 5 is the Aggregate of these, and contains an Account of all the Articles and victualling Stores proposed to be kept up.

1st, " That an Agent be appointed for Provision of victualling Stores for the Garrison of Fort William.

2d, " That he do without Delay provide the Stores mentioned in the Indent N^o 5, in the full Quantities of each therein specified, at the current Bazar Rates, delivering Musters of each Article, with their Prices, for the previous Approbation of the Board.

3d, " That proper Places in the Fort be allotted for their Reception, and that they be placed under the joint Charge of the Agent and of the Fort Major, who shall keep separate Keys of the same.

4th, " That for the Purpose of keeping up a constant Supply of fresh and good Stores, the Agent shall be required to change them, and to supply their Places with new Stores so often as may be necessary to prevent their Decay, and that he be permitted to dispose of the old Stores in any Manner which he shall think proper at his own Risk.

5th, " That the Agent be allowed an annual Commission of * per Cent. upon the prime • Si: in Orig.
Cost of all the Stores so provided, which shall be paid him annually; the First Payment to commence on the 1st of May 1777, and which shall be a full Allowance for his Trouble, Risk of the Markets, Losses by Decay, and Wastage, Servants Wages, Cooley Hire, and all other Expences of what Nature soever.

6th, " That as Madeira Wine is now at a lower Rate than it has ever yet been known, and as for the same Reason it may be expected to rise considerably in the Price of the future Importations, the Commission upon this Article be reckoned on the full Quantity to be kept in Store at the current Price of each Year, to be ascertained by the Medium of the Sales at Outcry.

7th, " That the Agent shall be allowed 25,000 Rupees in Advance for his first Purchases, and the same Sum for every Supply delivered by him to that Amount, until the whole Deliveries and Payments shall be completed.

8th, " That if it shall be judged necessary at any Time to increase the Quantity of any Article or Articles of the Stores, or to provide others not specified in the original Indent, he shall be allowed the advance Commission upon these as upon the former.

9th, " That the Fort Major shall examine every Delivery of Stores, and shall reject such as shall be inferior to the Musters which for that Purpose shall be delivered into his Charge, and shall be annually changed for others of equal Quality; and he shall certify the Quantity of each Delivery, and his Certificate shall be the Agent's Voucher for every such Delivery.

10th, " That the Fort Major shall in like Manner certify every Quantity which shall be taken away by the Agent, and this Certificate also shall be a Voucher for the Quantity so taken away; but the Fort Major shall not suffer any Quantity to be removed until he shall have received a formal Notification from the Agent, that he has a like Quantity ready to replace it, which shall be done within Ten Days of such Notification.

11th, " That the Fort Major shall be allowed for his Service the following fixed Establishment. R^r per Month.

" One English Writer
 " Sircars
 " Weighman's Office,
 " Servants, Paper, &c. }

12th, " That he shall keep an Account of all victualling Stores, specifying the Dates of all the Receipts and Issues, for the occasional Inspection of the Board.

" The Profit of the Agent is to consist only of a Commission or Percentage on the First Amount of the Stores. This I have left a Blank, wishing to fix it at the Sum which the other Members of the Board may think reasonable.

" Many of the Articles, such as Ghee, salted Meat, and dried Fish, will be a total dead Loss; at least to I judge from former Experience. With good Management he may save himself in the Articles of Gram and Firewood.—The Waste in Oil, Madeira Wine, Arrack, and Vinegar, is certain.

" The Proportion which these Losses may amount to, may be ascertained by consulting those who have had Dealings in these several Articles of the Contract. The Commission should be made up of the following Heads.

- " 1. Loss by Decay, Wastage, and Variations of the Markets.
- " 2. Compensation for the Agent's Trouble.
- " 3. Servants Wages, Cooley Hire, and other Expences.

" I suppose that he will neither gain nor lose by the first Purchase, which I believe is exactly conformable to the Market Prices, of which I have taken some Trouble to inform myself.

" An Advertisement for a Contract for such Stores would be improper; it would be to tell the World what Provision was made for the Defence of the Garrison.

" The Benefit to result to the Company from this Plan is, first, to have a continual and certain Supply of a known Quantity of Provisions for the Garrison, good, and always fit for Use; and, secondly, to have the Expence attending them fixed to one Sum for the first Purchase, and to one annual Sum ever after, free from all Hazard of Deficiencies, Decay, and contingent Expences.

" If the Plan will answer these Ends, it will produce an Effect unknown, I believe, in any Garrison in Asia or in Europe."]

§ " Ordered, That all the Papers referred to in the above Minute, be entered after the Consultation.

" Mr. Francis desires to record the following Minute.

" I agree with the Governor General, that it is proper, in all Circumstances, and more particularly perhaps in the present Conjuncture, that a Store of Provisions should be collected and deposited in Fort William. The Existence of a Fort and Garrison implies the Possibility of a Siege, and, of course, the Necessity of being prepared for it; or at least against an immediate Alarm, in which Multitudes would hurry into the Fort, without the Means of Subsistence. The Alarm itself would probably disperse the People who supply the Bazars, and make it difficult to collect a sufficient Quantity of Provisions, at the Time when they might be most wanted. But a Supply necessary to answer such an Emergency, need not, in my Opinion, be extended to the Expectation of a regular, continued Siege of Four Months. I am not convinced of the Possibility of any European Power landing such a Force in Bengal, as would be sufficient first to beat and disperse our Army in the Field, and then to invest and lock up the supposed Number of Fifteen thousand Men in the Fort for Four Months. Such a Force, I presume, could neither bring Provisions with them equal to the Time, nor find Subsistence in the Country. The latter could not be done, unless they were in peaceable Possession of the Provinces, and had no Military Object to attend to but the Siege of Fort William. This supposes the previous Conquest of Bengal, by an Army penetrating into the Heart of an Enemy's Country, and leaving the principal Fortresses behind them. A Plan of that Nature might do temporary Mischief, but must end in the Ruin of the Invaders.

" It is possible, I confess, and this I think is an Object that demands the Attention of Government, that the Commandant of Chunar might be instructed to form Magazines of Stores, and that he might conduct his Measures for that Purpose with Secrecy: At all Events, the first Thing to be done, in case of an Invasion, would be to secure Chandernagore.

" The Object against which I think a Provision of Stores should be made, is the immediate Alarm, the first Effects of it, and the Necessity of subsisting a Multitude of People for a short Period. Three Months is the utmost I should provide for in any of the perishable Articles: A greater Supply of the other Articles, such as Rice, Oil, Sugar, Salt, and Firewood, might be deposited without Loss or Inconvenience.

" On these Principles, supposing the Quantity diminished in Proportion, I should not regard the Loss which Government might incur by Waste or Decay in the perishable Part of the Provisions; if any tolerable Care be taken by the Agent and Overseer, it could not be a considerable

derable Object : The first should be a British Subject of established Character and Credit. The present Fort Major is undoubtedly a qualified Person in every Respect for the Duty assigned to him, and equal to any Trust : But I think that officially there should be some Check and Control vested in the acting Commandant of the Fort, to inspect the State of the Stores for the Use of the Garrison under his Command, for the Safety of which he is immediately responsible.

I see no material Objection to the proposed Regulations, and I would not cavil about Trifles. As to the Amount of the Agent's Commission, I confess myself unable to judge by what Principle it can be determined with Accuracy. The Opinions of Persons of Credit, conversant in the Inland Trade, and who may have dealt in the several Articles of Supply, and are acquainted with the State and ordinary Fluctuations of the Markets, should be taken on this Point. If the Service be necessary in any Degree, it is a Service of the first Necessity, and should not be stinted for the Sake of any inconsiderable Saving, which in the Event perhaps might only be apparent.

While this Subject is before us, I wish to recommend to the Attention of the Board another Object of Supply, which, in the Case supposed, would not perhaps be less necessary than that of Provisions, I mean, a Deposit of Cash sufficient to answer the indispensable Demands of Government for a given Time. The Court of Directors, in the Year 1770, were of Opinion, that 30 Lacks in Specie should constantly be reserved in the Treasury; and they expressly gave the Precedence to this Object even before the Discharge of their bonded Debt. I beg Leave to annex a Copy of the Orders alluded to. Their Ideas were in Part the Foundation of that Opinion which was opposed to the total and immediate Liquidation of the Debt. Whenever an Invasion shall happen, it is not to be doubted, that every Rupee in the Hands of the Natives will disappear; the Tie, by which a Number of wealthy Persons were attached to the Interest of the Company, is dissolved; and to borrow Money, or even to collect the Rents in such a Country as Bengal, while the Alarm of an Invasion exists, is a Resource, I presume, not to be thought of. I would therefore advise, that if there be an unappropriated Surplus now in the Treasury, as far as Thirty Lacks of Sicca Rupees at the least, it should be immediately removed, and deposited in the New Fort.

If we are not in a Condition to make such a Deposit, I must attribute it to that Measure which threw into the Hands of Individuals a Sum of Money which they did not want; and under the Pretence of saving to the Company a Pension of Two Lacks, not likely to be felt either as a Saving or a Loss, annihilated a capital Fund of Forty Lacks, the only one perhaps on which we could depend for the Safety of the Territory.

4th November.

(Signed)

" P. Francis."

Extract of a Letter from the Court of Directors to the Select Committee, 23d March 1770.

Par. * Having thus apprized you, that every other Consideration is to give place to the essential and primary Object of your Investments, we shall readily admit that the next Concern is, to have a large Balance remaining in your Treasury; to which End we do agree, that your present Debt at Interest may continue until you shall have in Calcutta to the Amount of upwards of Thirty Lacks of Rupees; and then the Sums only exceeding Thirty Lacks shall be applied to the Reduction of the Debt: This once discharged, or reduced to the Amount only of the Military Fund, we may reasonably hope for such an Accumulation of your Treasury as will ere long be sufficient for any Emergency." * Sic in Orig

The Governor General.—The Papers composing my Plan for the Supply of Garrison Provisions, were drawn up before the Minute in which I recommended Capt. Kyd to fill the Office of Secretary to a New Military Council. The Duties of this Office will employ as much of his Time as he can spare from his other Avocations. For this and the other Reasons urged by Mr. Francis, I adopt and recommend the Alterations proposed by him, in the Check proposed to the Agent, namely, that the Officer commanding for the Time being in the Fort be entrusted with One of a Set of Keys of the Victualling Store Rooms, with the Charge and Powers proposed in the Plan to be vested in the Town Major. I also acquiesce in the Reduction proposed of the Quantities to be kept in Store, to a Quantity equal to Three Months Consumption instead of Four. I also agree to the Proposal of laying up 30 Lacks of Rupees, a Fund for Military Exigencies, in the Fort. In my Opinion, the gross Amount of the Public Treasure ought always to be deposited in the Fort. I think Mr. Francis's Proposal sufficient, and I will look out for a proper Place, in which the Money may be lodged. I beg leave to add a few other short Observations on Mr. Francis's Minute. I do not think there is more Danger of an Invasion from the French at this Time, than there has been these Five Years past, and I am in my own Mind firmly persuaded that they never will attempt it by Sea. The Dangers and Difficulties attending it are, in my Comprehension of them, insurmountable; but I do not think this will acquit the Board of Blame in omitting to provide against even the Possibility of such an Event: If the Fort itself is necessary, it is equally necessary it should have Men to defend it; that it should have Military Stores to enable them to sustain a Siege, and Provisions on which they may subsist. We have a full Treasury, and every Rupee of it which we can employ in useful Purposes will revert

" to us in Part by its Circulation. I think it necessary further to add, that almost all the Articles, and every one of the most necessary Articles that I have proposed to lay in Store, might be collected from the Markets of Calcutta, in a Quantity far exceeding that now required, with a very few Days Notice: But though this may be the Case in a Time of Peace and Quiet, I doubt whether they could be procured amidst the first Hurry and Terror which would affect the Minds of the People in case of actual Invasion. Upon the Whole, I confess, that in the Plan proposed I wish rather to guard against Possibilities than Probabilities, and to accommodate my own Conduct in an Instance of so public a Nature, to what I believe to be the Opinions and Expectations of others, yet more than my own. I wish to receive the further Sentiments of the other Members of the Board upon the Plan itself, before I propose what remains for the Conclusion of it."

" Mr. Barwell assents to the Governor General's Proposal, with the Alterations above-mentioned.")

✂ [" Ordered, That the Secretary request the Opinions of some of the Principal Merchants in Calcutta separately, on the Amount of Commission which ought to be allowed for providing the Articles proposed, and that the Blank in the Governor's Minute do remain until this Report be received."] (a)

(Signed at the End of the Consultation)

" Warren Hastings,
Rich^d Barwell,
P. Francis."

Read, from the same Book, the following Extract of a Consultation of the 7th November 1776, beginning at Page 461, of the same.

" Fort William, the 7th November 1776.

Secret Dep:
Thursday.

" At a Council, Present,
The Honble. Warren Hastings, Governor General, President;
Richard Barwell, } Esquires.
Philip Francis, }
General Clavering indisposed.

" The Proceedings of the 4th read and approved.

" The Secretary having consulted three of the principal Merchants of Calcutta, on the following Question, which he stated to them, begs leave to report their Answer to the Board.

Secretary's
Report.

" Question.—What Commission do you think will be adequate to an Agent for providing and laying in the Stores mentioned in the List which I now shew you, and engaging to keep the same constantly in good Order and fit for Use, he suffering any Loss which may accrue upon them by Wastage or Decay. The Commission to be rated as follow, upon the prime Cost of the Goods, and to be paid annually, in Compensation for the Risk and Expence of keeping them in good Order, by supplying fresh in the Room of any Part which shall decay, viz.

Loss by Decay, Wastage, and Variation of the Market.
Compensation for the Agent's Trouble.
Servants Wages, Cooley Hire, &c. &c.

" Answer.—Having read and considered the above Questions, I am of Opinion that no Agent can undertake to supply the Stores required, and to keep up the specified Quantity in constant good Order, for less than the following Consideration :

For the 1st Article	—	12	½ Cent.
For the 2d	—	5	½ Cent.
For the 3d	—	3	½ Cent.

(Signed) " John Robinson."

" I am of the same Opinion.

(Signed) " Charles Croftes."

" I am of the same Opinion.

(Signed) " David Kilhican." (b)

(Signed at the End of the Consultation)

" Warren Hastings,
Rich^d Barwell."

(a) Vide Appendix, N^o CCIV,

(b) Vide Appendix, N^o CCV.

The

The Managers for the Commons stated, they should next read the First of General Clavering's Minutes of Remonstrance on this Subject.

Read, from the same Book, the following Extract of a Consultation of the 2d December 1776, beginning at Page 587, of the same.

" Fort William, the 2d December 1776.

" At a Council, Present,
The Honble. Warren Hastings, Governor General, President ;
General Clavering,
Richard Barwell, } Esquires.
and
Philip Francis,

✍ [" General Clavering.—The Court of Directors have been so often amused with Projects of private Benefit, and Jobs concealed under the Cloak and Appearance of the publick Good, decorated with all the Colours that Artifice and an affected Zeal for the Company's Prosperity could give them, that it will not surprize *, after their Experience of the Fallacy of them, that they may doubt a little, whether the present Project for victualling the Fort, as it is proposed by the Governor General, may not conceal likewise a Job, to serve a Dependant. The History of the last Six Weeks would authorize any Suspicion that can be formed, that nothing less than the Company's Interest has been consulted in the various Measures that have been adopted, whether in this Department, in that of the Revenue, or the Board of Inspection. The Papers which have been laid before the Board, by the Governor General, for victualling the Fort in case of a Siege, were prepared by my Orders, and laid by me before the Board of Ordnance, with an Intention that the Government should be at all Times informed of the different Articles that were necessary to supply the Fort in case of an Exigency. I did not mean to propose making an immediate Provision of the Articles, excepting of Rice and Firewood, till we had certain and precise Advices of Danger threatening this Settlement; and I had intended that those Articles should have been laid into the Fort without the least Expence to the Company. I meant that the Person who should have the Commission for laying in those Two Articles, should derive his Profit for his Labour on the Sale of One Half of them annually, and to re-purchase the same Quantity at the proper Seasons for laying in the Supply. I understand that a Profit might be derived from the Method of selling these Articles when they are at the dearest, and buying when they are at the cheapest: That would sufficiently indemnify the Agent for his Trouble. Nothing more would be required by this Plan, than to make the necessary Advances for the first Purchase, the Company not suffering any Loss either by the Wastage of Stores or by paying a 7th Centage for the Purchase of them. I shall therefore object for the present to any other Stores being laid in than Rice and Fire Wood, as well as to any Commission being given to any Body for that Purpose.]

The General's Minute on victualling the Garrison. Do. on victualling the Fort.
* Sic in Orig.

(Signed at the End of the Consultation)

" Warren Hastings,
J. Clavering,
Rich^d Barwell,
P. Francis."

Read also, by Desire of the Counsel for the Defendant, the following further Extracts from the same Book and same Consultation, beginning at Page 593, of the same.

§ (" The Governor General delivered to the Secretary the following Minute, with Directions that it should make a Number in the Nassau's Packet, which, after having been circulated for the Information of the other Members of the Board, was accordingly done.
P. 600. " In the Opinion given by General Clavering upon my Proposal for laying up a Store of Provisions for the Garrison of Fort William, his usual Temper has displayed itself by an Attempt to vilify the Plan with hard and coarse Invectives, instead of offering any Objections to the Propriety of it. Artifice, an affected Zeal for the Company's Prosperity, Projects of private Benefit, and Jobs to serve a private Dependant, are the Expressions and Reasonings by which a Member of this State examines the Utility of a public Measure. He has probably heard, or, if he has not, I will now declare that I do mean to propose a Gentleman of my own Family for this Trust; I mean my Secretary Mr. Belli, not because he is a private Dependant, whose Services and Fidelity for more than Four Years past have hitherto received no higher Reward than a Salary of 300 Rupees per Month; but because I think the due Discharge of this Trust of such Importance, and so immediately my own Province, that I wish to employ in it the Person on whose Honor I can place the best Dependence.

Proposals entered in secret Consultation, 4th Nov. 3 Accounts in 7th Nov. 3 Copy of the General's Dissent; sent a Number in the Packet, not being yet recorded.

4th Nov. " The General has mistaken the Papers which were laid by me before the Board, with the Plan ;
 " they differ totally and essentially from those which the General delivered to the Board of Ord-
 " nance, both in Form and Substance, and the Principles on which they were formed were dic-
 " tated by myself, though the same Hand executed them that the General employed for the like
 " Purpose.

General's Mi-
 nute a Num-
 ber in the
 Packet.
 " If I rightly understand the General's Plan, it is this : That the Agent should be allowed a
 " Sum in Advance equal to the Quantity of Rice and Firewood to be laid up in Store. This
 " Quantity he was to provide, and always preserve undiminished, and not for his own Advantage
 " only, but for the Means of keeping the Supply of each Article fresh and fit for Use ; he was
 " to be permitted to dispose of them from Time to Time, and to replace them by new Purchases,
 " consulting his own Advantage in the Change of the Rates of the Markets :—But, if he was
 " not allowed to diminish the Quantity in Store, I do not see how he could have availed himself
 " of the Rates of the Markets, which can never be favourable at the same Time to the Seller
 " and Purchaser.

" No Dealer in Grain will make Choice of a fortified Place for a Gunge. The numberless
 " Restrictions of a Garrison, and the Horror of Centries stationed in every Passage, will, whether
 " well or ill founded, be an insurmountable Objection to any of the native Merchants accept-
 " ing the Agency on such Terms ; even an European will be subject, though in a less Degree,
 " to the same Inconvenience. In short, the General's Plan appears to me (I beg his Pardon if
 " I misconceive it,) to offer something less than the common Profits of a free and optional
 " Trade as the Recompence for a restricted one, for it is self-evident that the proposed Dealer in
 " Grain having the same Option of buying it, when it is cheap, for his own Advantage, at his
 " own Risque, with no other Responsibility, and of selling it when it is dear, in the established
 " Market known and accessible to all Men, will be no Gainer by being allowed to sell Grain in
 " the Fort, under the Engagement of keeping up the same Store accountable for its Quality, and
 " of course subject to the Will of those who are to be the Judges of it, and confined to a Place
 " to which no Man will resort, and abandon the common Markets, without the Certainty of ex-
 " traordinary Advantages, which will be a proportionable Loss of course to the Proprietor.

Consultation,
 4th Nov.

" In short, I have taken more than ordinary Trouble to draw up the Plan which I recom-
 " mended.—I have the strongest Conviction that the Principles of it, which are new to me at least,
 " are the best adapted to the Design. The Form of it is simple, the Expence is fixed and
 " exempted from Contingencies, a constant Supply of the most necessary Articles of Provisions
 " for the Garrison will be secured against the Time of Need, and the Interest of the Agent is
 " concerned in the faithful Discharge of his Trust, because, if the Stores are originally bad, they
 " will be rejected, and if they are damaged by his Neglect, he will lose by the Sale of them.")

Read, from Book 454, already delivered in, the following Consultation of the
 13th January 1777.

" Fort William, the 13th January 1777.

Secret Dep^t
 Monday.

" At a Council; Present,
 The Honourable Warren Hastings, Governor General, President ;
 Lieut. General John Clavering,
 Richard Barwell, } Esquires.
 Philip Francis, }

" The Proceedings of the 30th ultimo read and approved.

" Read, the following Letters from Mr. Bristow.

" Honble. Sir, and Sirs,

Mr. Bristow's
 3 Letters.

" The Bearer, Holansee Lob, accompanies the Honble. Company's Treasure dispatched from
 this Place agreeable to the Invoices under Date September 30th and November 30th. He is
 the Gomastah of Cashmere, Mull, and Bockrage, the Shroffs I have employed in receiving and
 shroffing the Company's Monies. As Cashmere, Mull, and Buckrage must be answerable in
 case of the Specie turning out different from the Invoice, they have sent these their Agents, to
 be present at the counting and delivering the Money in Calcutta.

" I am, &c.

" Lucknow,
 November 11th 1776.

(Signed) " John Bristow."

" Honble. Sir, and Sirs,

" I have received the Honourable Board's Letter of the 2d instant, and, agreeable to their In-
 structions, shall deliver up the Charge of my Office to Mr. Nathaniel Middleton on his Arrival
 at this Court, and proceed myself to the Presidency.

" My

" My attending his Excellency the Vizier on a Visit to this Place, puts it out of my Power to pay implicit Obedience to the Honble. Board's Orders, with respect to preparing and transmitting an Account of the Monies advanced and paid for the Charge of raising and maintaining the Military Establishments; but I have written to my Assistant at Lucknow on the Subject, desiring him to use all Expedition in dispatching it.

" Camp near Belgram,
• 21st December 1776.

" I have, &c.
(Signed) " Jno. Bristow,
" Resident at the Vizier's Court."

" The Treasure remitted by Mr. Bristow being arrived, with the Letter from him of the 11th November, under Charge of Lieut. Downes, the Invoice which accompanied it was sent to the Treasury, with an Order to receive it, and to permit the Shroff mentioned by Mr. Bristow to be present at the Shroffage thereof.

" The Commander in Chief having sent in the Two following Letters to him from Lieut. Colonel Goddard, the Secretary immediately circulated them for the Information of the Board, and transmitted Copies of them to Europe, in the Triton's Packet.

" To General Clavering.

" Sir,

" I before did myself the Honor to acquaint you, that, after reducing the Forts in the Corah Province, I had marched towards the Donab, in order to demolish those of any considerable Strength in that Country. I have now to inform you, that some Days ago I arrived before Seckereny, a Fort belonging to Fatty Chund Patuck, a rebellious Zemindar, and planted a Battery against it of Two Eighteen Pounders, which continued playing for Two Days, when this Evening, thinking a Breach practicable, I ordered Captain Lane, with Six Grenadier Companies, to march to attack it; I also ordered Ten Sepoy Companies besides down on either Side of the Fort, in order to assist if Occasion required, and to prevent the Enemy from escaping, as I considered the securing and making an Example of this Man, might be attended with good Effects upon the other Zemindars of the Donab. Lieutenant Blacker stormed first with Two Grenadier Companies, but was unfortunately wounded in mounting the Breach; Captain Lane, who marched up to his Support, also fell. These Circumstances, added to the desperate Resistance made by the People in the Fort, who threw down Pots of Powder and all Manner of Combustibles upon the Sepoys Heads, so dispirited them, that they gave Way on all Quarters, and could not be brought to renew the Attack; and in the Confusion and Hurry of the Men retreating from the Fort, those within found Means to effect their Escape, and abandon it. Many of my People are killed and wounded; but as I write this immediately after the Affair has happened, I cannot exactly ascertain the Number. I will do myself the Honour to write you more particularly To-morrow. Capt. Lane and Lieut. Blacker are, I fear, mortally wounded. Lieutenants Moore, Park, and Montague have received Wounds; but they do not appear dangerous. I have to request you will please to lay this Circumstance before the Honble. Board.

Lieut. Col.
Goddard's
Two Letters.

" Camp before Seckereny,
Dec. 25th 1776.

" I have, &c.
(Signed) " Tho^r Goddard."

" Sir,

" I did myself the Honor of writing to you the 25th instant, informing you of the Attack made upon Fort *Seckreny, and the desperate Resistance of the People in it. I now take the Liberty of enclosing you a Return of the Killed and Wounded. As I have already given you a particular Account of this Affair, I have only to add, that upon Examination of the Fort next Morning, I found that I was right in my Opinion of the Breach being practicable: I must attribute the Loss of so many Men to their Officers being wounded at the Beginning. This unlucky Accident, together with the Combustibles tumbled from the Walls into the Ditch, intimidated them so much, that they could not be brought to advance beyond the covered Way, where they were entirely exposed to the Fire of the Enemy's Matchlocks. Lieutenant Moore, the next Officer to Lieutenant Blacker, hearing of his Misfortune, put himself at the Head of the Party, and ran up to the Breach, encouraging the Men to enter it, but without Effect; and just at that Instant, he was wounded by a Spear from the Top of the Breach.

* See in Orig.

" I take the Liberty of mentioning to you, that the European Officers exerted themselves in a particular Manner to animate the Troops with Confidence and Resolution; and in Excuse for the Backwardness of the Sepoys, I must observe, that they are new raised Men, and unaccustomed to Service. I have not, however, any Doubt but they will behave with proper Spirit on the next Occasion, as they seem sensible of their Misconduct on the present one, and had the Reason of their Misconduct explained to them. I am concerned to inform you that Captain Lane, who was shot through the Body, is just expired of his Wounds. There is a Possibility of Lieutenant Blacker's Recovery, but the Surgeon cannot at present speak with any Certainty. The Rest

of the Gentlemen I mentioned to have been wounded in my former Letter, are in a favourable Way.

" I have, &c.

" Camp near Seckreny,
Dec. 27th 1776.

(Signed) " Tho' Goddard."

" Ordered, That the Return of the Killed and Wounded, enclosed in the above Letter, be entered after the Consultation.

" Read, the following Letters from Lieutenant Colonel Goddard.

" Gentlemen,

Lieut. Col.
Goddard's
Two Letters.

" I had the Honor to receive your Letter of the 2d instant, and, in Obedience to your Orders, have directed the Gentlemen under my Command to send me an Account of the Money they have received since their Appointment, and for what Purpose of the Service expended, with the necessary Vouchers; all which shall be transmitted you without Delay.

" Camp before Seckreny,
Dec. 26th 1776.

" I have, &c.
(Signed) " Tho' Goddard."

" Gentlemen,

" In a Letter I had the Honor to address you of the 15th instant, I informed you that the principal Forts in Corah being reduced, I should proceed towards the Donab in order to fulfill the Vizier's Intentions of levelling those in that Province also. I accordingly marched to Sickreny, the Residence of a rebellious Zemindar, Futty Chund Patuk, whose particular refractory Behaviour pointed him out to me as the most proper Object for an Example to strike Terror into the other Zemindars, and I invested his Fort so closely, that it was impossible for him to effect his Escape. In this Hope of securing his Person, I was however disappointed, for on the Evening of the 25th instant he found Means to get off, with almost all his Followers, amidst the Confusion that ensued upon the Sepoys failing in the Attempt to storm a practicable Breach that had been made in one Part of the Wall. The Particulars of this Affair I have already laid before the Commander in Chief, and transmitted him a Return of the Killed and Wounded. I have also acquainted him with the unfortunate Accident that happened to Captain Lane, who died the 27th instant, of a Wound he had received through the Body.

" I beg Leave to inform you that I shall advance in a few Days against the other Forts of the Donab, which are very numerous, and remarkably strong. I am therefore hopeful that my Application for an Engineer has before this been complied with, as the Service of an Officer skilled in that Branch would much assist the present Expedition.—I must also take the Liberty of repeating a Wish I formerly made known unto you, that Twelve Men from the Invalid Corps might be permitted to join the Vizier's Troops, as I have had an Opportunity of seeing how useful they would prove on many Occasions.

" Camp near Seckreny,
Decr 29th, 1776.

" I have, &c. &c.
(Signed) " Tho' Goddard."

" Agreed, That the following Reply be written to Lieut. Colonel Goddard.

" To Colonel Goddard.

" Sir,

" We have received your Letters of the 26th & 29th ult.

" We are concerned to hear of the Death of Captain Lane, and of the unfortunate Loss sustained by the Corps under your Command in the Attack of Sickreny Fort.

" The Company having ordered a European Force to be constantly stationed at Chunar, and the Company of Invalids now at that Place being barely sufficient for the Duties of the Garrison, we cannot at present comply with your Application for Twelve of these Men to be employed in the Nabob's Service.

" We are, &c.
" Signed

" General Clavering lays before the Board the following Letter from Lieutenant Colonel Dow.

" To General Clavering, Commander in Chief, &c.

" Sir,

Lieut. Col.
Dow.

" I have the Honor of transmitting a monthly Return of the Troops in this Garrison.

" Ajet Sing, a Raja on the Southern Frontier of this Province, is reported to be collecting a Force under the Command of Govind Giet, One of his Vassals, with an Intent of making an Incurion into Giet Sing's Territories towards Mirzapore. Some Acts of Hostility have been already committed. Giet Sing has detached a Force to oppose them, but has not as yet made any

any Application to me. Should he find it necessary, I shall act according to my Judgment of the Exigency, and deem the Protection of the Company's Territories, for so I deem this Province, a Part of my Duty.

" Chunar,
2d January 1777.

" I have, &c.
(Signed)

" Alex^r Dowe,
Lt Col^l Commanding."

" Agreed, That the following Letter be written to Lieutenant Colonel Dow.

" To Colonel Dow.

" Sir,

" The Commander in Chief having laid before us your Letter to him of the 2d January, we think it necessary, in Reply, to authorize you to comply with any Requisitions which may be made to you by Raja Cheit Sing, for the Assistance of a Detachment of the Company's Troops under your Command for the Defence of his Country against Invasion, except in ordinary Cases, when it may be in the Power of the Rajah by his own Force, and unassisted by ours, to repel the Invaders.

" We are, &c.

" The Governor General having sent to the Secretary the following Minute, it was immediately circulated with Mr. Johnson's Accounts and Papers.

" I have hitherto waited to receive and to examine Mr. Johnson's Account of victualling Stores supplied by him, or committed to his Charge, and of the Expenditure of them, before I chose to bring the Subject of the Plan, which I laid before the Board on the 1st of October last, again to their Notice. These Accounts are now before the Board, and from them, and other Enquiries which I have made, I think that the Agent can have no Prospect of indemnifying himself for the Losses which must arise on the Stores, many of them being of so perishable a Nature as to lose Half, and others more of their Value in Twelvemonths; nor will the smallest Encouragement be afforded him for his Attention to his Trust, by an Allowance of 20 $\frac{1}{2}$ Cent. on the Purchases, agreeably to the Opinions of Messrs. Robinson, Killican, and Croftes.—If Mr. Johnson's Accounts now before the Board may be depended on, a Loss of above 90 $\frac{1}{2}$ Cent. on the Stores has been suffered during the Two Years they were under his Management, or 45 $\frac{1}{2}$ Cent. $\frac{1}{2}$ Ann.; therefore, I propose that an annual Commission or Allowance of 30 $\frac{1}{2}$ Cent. on the Provision of all Stores shall be made to the Agent.

The Governor General's Minute.

" Mr. Barwell.—I have inspected the Accounts delivered in by Mr. Johnson, and approve the Governor General's Proposition of allowing the Agent a Commission of 30 $\frac{1}{2}$ Cent. on his Purchases.—The Opinion of the Merchants cannot be opposed to Facts, and as the actual Loss sustained has hitherto amounted to upwards of 90 $\frac{1}{2}$ Cent. I give my Assent to the Governor General's Motion.

(Signed) " R. B."

" Ordered, That these Papers be entered after the Consultation.

" The following Minutes were delivered upon the above Proposition by the other Members of the Board.

" However ready I am to dedicate my Time to the Public Service, and on all Occasions disposed to examine every Proposal which may be submitted to me by the Council with all due Attention, I must confess the invincible Repugnance I feel to undertake this Task, when I perceive on the Face of a Plan, such as that which is under Consideration for victualling the Fort, evident and unquestionable Marks of a Design to drain the Company's Treasury, merely to benefit an Individual, under the specious Colouring of Public Utility.

General Clavering's Minute.

" My supposing that the Agency of this Scheme was intended for a Dependant, was a Suggestion that arose, as well from the obvious View I took of it, as from the present Disposition of the Times, when Gratifications are dispensing on all Sides with a Bounty yet unknown, even in this Government.

" The Declaration which the Governor General has since made, that he means to propose his Secretary, Mr. Belli, for the Agency of victualling the Fort, relieves me, I confess, from the Difficulties I was under in considering the Plan, connected, as I was sure it would be, with the private interested Views of a Dependant. Without the express Authority of the Governor General, I could not have ventured to suppose him capable of proposing a Person to exercise so great a Trust, who is not in the Company's Service, and still more, that this Person should be his own Secretary.—As the first of these is an Impropriety that cannot be carried into Execution without a manifest Breach of the Company's Orders, directing that none but Company's Servants shall be employed in Places of Trust, so the Second is replete with such Objections as I think are irrefragable. Let me ask, whether there is not the same Objection to the Governor General's Secretary being concerned in a Victualling Contract, as there does to his Banyan holding Farms or Contracts for the Investment? And again, whether by the late Act of Parliament, which prohibits

hibits all His Majesty's Subjects dealing in certain Necessaries of Life, excepting those who may furnish them for the Company, the Objections of the Secretary being that Contractor does not become more forcible.

" Besides the Advantage that will accrue to him in dealing in the prohibited Articles exclusively, he will have the Benefit of the Assistance of the Aumeens, who are going into the Districts to procure every Article of Provision, at his own Price. It is natural to suppose that those People will endeavour to recommend themselves to their Patron by exerting of their Power in favour of his Secretary: After this, when he brings his Provisions to Calcutta, will not the Quantity he will have in Hand enable him at all Times to fix the Prices of the Market, by which the Rates of the Agent's Commission of 30 $\frac{1}{2}$ Cent. is to be regulated?

" These are the particular Objections to the Secretary's dealing in Provisions; it remains to consider the General Ones to the Expediency of the Measure, more especially when the Governor's Secretary is to be the Agent Victualler.

" First, I do not admit, that it follows of Course, that the Existence of a Fort and Garrison implies the Necessity of keeping it victualled: None of the Fortifications in England, in Scotland, in Ireland, in Guernsey, and Jersey, have a single Article of Provision in them. They, however, depend, as well as Fort William, on the Supplies that may be thrown into them on the first Alarm, though the same Effects, it must be supposed, would follow there which the Governor General represents would happen in Bengal on an Invasion. He says, 'Almost all the Articles, and every one of the most necessary Articles that he has proposed to lay in Store, might be collected from the Markets of Calcutta, in a Quantity far exceeding that now required, with a very few Days Notice; but though this may be the Case in Time of Peace and Quiet, he doubts whether they could be procured amidst the first Hurry and Terror which would affect the Minds of the People in case of actual Invasion.' In effect, so far should we be from wanting, in such an Exigency, many of the Articles, that the Merchants who keep them in Store, would think themselves but too happy if they could be permitted to secure them, as Madeira Wine, &c. in the Fort, amounting to much more than possibly could be wanted. But if the Provision of any Kind of Stores should be judged necessary, it appears to me, that it should be in the bulky Articles, as Fire Wood and Rice, which, as I mentioned in my former Minute, might be provided without the smallest Expence to the Company; though, I believe, if the whole Sum that is intended to be appropriated for these Supplies, were to be set apart, such a Resource would, on an Exigency, furnish the Garrison with a much more plentiful and wholesome Supply than the Annual Expenditure of it can do by laying up the Stores.

" I conclude, therefore, that if it be admitted, that wherever there is a Fort and Garrison, there must be likewise victualling Stores laid in, the same Necessity will be soon urged for the Appointment of an Agent Victualler at Chunar, as well as at Fort William, and perhaps with more ostensible Reasons to support it, as that Place is a Frontier Garrison.

" My Second Objection goes to the Manner with which the Stores are to be provided. The Company directs that Contracts shall be advertised; but the Governor General foreseeing that his Secretary could not obtain the victualling Scheme on that Footing, but on the lowest Terms, endeavours to remove the Objection, by saying, 'That the World would know what Provision was made for the Defence of the Fort;' as if the Knowledge, that there was Three or Four Months Provision in it, besides what might be thrown in at a few Hours Notice, would invite rather than discourage an Enemy to attack it. So curious an Argument requires no other Refutation.

" My Third Objection goes to the Provisions for Fifteen thousand Men; that is to say, for Three Fourths of our Army. I suppose the intended Agent Victualler proposed this Number of Men.

" Fourth Objection, the immense Profits of the Agent. Upon a rough Calculation, I conjecture, the Cost of the Provisions to be furnished will not be less than Three Lacks of Rupees, and consequently the Agent's Commission of 30 $\frac{1}{2}$ Cent. is Ninety thousand.

" If I understand the Proposal right, the Agent, after supplying the full Quantity of Stores required, is to change them as often as may be necessary to prevent their Decay; but there is no Stipulation mentioned to compel him to perform this Part of the Proposition, and therefore, without incurring a Penalty, he may, if he pleases, leave all his putrid Stores on our Hands, and walk off with his Ninety thousand Rupees. In this Case, should there be found ever another Majority of the Board who would vote for a fresh Supply, the same Sum as before must be thrown away, and the same Profits renewed to the Dependant, whoever he may be.

" Let it however be granted that he will perform the professed Engagement in the Plan, by renewing the Stores when necessary; may not that Necessity occur, for many of the Stores, two or three Times a Year, consequently the Commission on the Purchase will operate just so many Times in his Favour.

" In the View I have hitherto taken of his Gains, I have only considered him as Agent; it is fair now to see what he will get as Merchant.

" Those Persons who buy Provisions up the Country generally reckon on a Profit from 15 to 25 $\frac{1}{2}$ Cent. on bringing them to Calcutta. I take it for granted, that Mr. Belli, with the Advantages that he will in course possess from his Connection, may be secure of a Gain of 20 $\frac{1}{2}$ Cent.

Cent., even supposing him to confine his Purchases to the Quantity required. This will add Sixty thousand more to the Profits of the Commission, in all 150,000 R' in an Half Year from his first Deliveries only.

" Fifth Objection, to the making the Commandant of the Fort the Storekeeper. According to the 9th Article of the Plan, he (it was at first the Fort Major) is to keep the Muster or Sample of the Stores; he is to examine all Deliveries by them; he is to visit constantly the Magazine to inspect the Condition of them; he is to attend to the Redelivery of them to the Agent that they may be changed, and to grant Certificates for taking them away: Finally, he must keep a Set of Books. Supposing the Commandant had Leisure and a sufficient Knowledge of Stores to be able to accomplish these various Duties, every one must see the disagreeable Predicament he must stand in. Can it be almost expected that he will risk the Favour of the Governor General in rejecting bad Provisions, or condemning those that are putrid? yet, if he does not, he exposes the whole Garrison to die of the Plague. I do not think that the proposed Agent would be guilty of those Frauds which are so frequently committed by victualling Contractors in all Parts of the World; but this does not prevent every one wishing to see the Agency for so important a Trust filled by a Person no ways connected or protected by Favor, as the Consequences of the least Complaisance to him may prove fatal to the very Existence of the English Power in Bengal.

" Objection the Sixth, on the Reasons assigned by the Governor General for wishing to make his Secretary the Agent: He says, it is not because he had been with him Four Years on a Salary of only 300 R' per Month, but from thinking the due Discharge of a Trust of such Importance, and so immediately his own Province, required a Person on whose Honour he could depend. Mr. Hastings's high Opinion of Mr. Belli is, I dare say, very well founded; but it seems rather injurious to the Company's Servants, that not one is to be found on whom so important a Trust can be conferred. I wish not to make Comparisons, but I must be permitted to say, that if the Goodness of their Characters cannot avail them in being appointed to Posts of Trust, I see no Advantage that they enjoy over Gentlemen who are out of the Service, and only suffered to reside in Bengal by Indulgence.

" How it comes that the Governor General imagines, that the recommending an Agent Victualler is his peculiar Province, I cannot comprehend, as the Consequences of any Fraud committed by the Agent would fall, not on the Governor General, in case of a Siege, seeing the Defence of the Fort would not rest with him, but on the Commander in Chief.

" I hope these Objections will convince the Governor General of the Inexpediency of his Plan for victualling the Fort, particularly when it is to be undertaken by his Secretary; but, at least, if those Objections do not avail, I have a Right to expect he will retract the Complaint he made against me for using hard and coarse Invektives on his Plan, instead of offering my Objections to the Propriety of it.

(Signed) " John Clavering."

" In my Minute of the 4th of November, I proposed, that, in order to determine the Amount of the Agent's Commission, the Opinions of Persons of Credit, conversant in the Inland Trade, and who may have dealt in the several Articles of Supply, and are acquainted with the State and ordinary Fluctuations of the Markets, should be taken. Messrs. Robinson, Killican, and Croftes, have reported that 20 per Cent. is a reasonable Commission; and I abide by their Opinion. I did not understand that the Commandant of the Fort was to be Storekeeper; but that officially there should be some Check and Controul vested in him, to inspect the State of the Stores for the Use of the Garrison under his Command, for the Safety of which he is immediately responsible.

Mr Francis's Minute.

(Signed) " P. Francis."

" Mr. Barwell. — I abide by the Opinion I have already given on this Subject.

" I shall readily acknowledge that I have no longer Cause to complain of the Conciseness of the General's Objections to my Plan for victualling the Fort, though his last Minute consists of little more in Points of Argument than the former, being chiefly composed of multiplied Invektive, groundless Conjecture, and unfair Insinuation, neither supported by Facts, nor demonstrated by Reason. I shall therefore rest the Defence of the Measure on the Arguments I employed in Answer to the General's First Minute, and confine my present Reply to Two Objections brought in his last, principally against the Agent.

The Governor General's Reply to General Clavering's Minute.

" The General strongly disapproves of the Agent, because he is not a Servant of the Company; and introduces several invidious Remarks on the Choice being made of my private Secretary for the Charge of providing the Stores. The Command of the Garrison is solely vested in me during the Time of Peace; and I regard it as a Duty incumbent on me, to keep it in such a State of Security, as to resist, at least any sudden Impression, whenever a War takes place. Hence I conceive the Necessity of keeping up a constant Supply of Victualling Stores; the Care and Provision of them is my peculiar Province: I also am responsible for the Consequences, and it behoves me to delegate the Trust to a Person in whose Integrity long Experience warrants my confiding.

" I am unacquainted with any Law or Instructions restricting my Choice to a Servant to the Company for this Employment. I am concerned that the General, on this Occasion, compels me to quote his own Example in the Instance of Captain Webber, who, though no Servant of the Company, who, though his Aid-de-Camp, has been appointed, under his Patronage, to Posts in the Establishment formed for the Nabob of Oude, which, if universal Report may be credited, have yielded him Emoluments far more valuable than all the Employments which I have ever bestowed in my Life. Nothing, in my Opinion, can be more forced or unnatural than the General's Supposition of a collusive Monopoly of Grain between the Agent and the Aumeens, who are to be sent into the different Districts of Bengal for Purposes wholly unconnected with every Idea of Trade; and I believe he is the only Person in the World who could have formed such a Suggestion, and produced it as an Objection to my committing the Supply of the Provisions to a Person in my Confidence.

" To obviate the ill Effects which the General's Prejudices or Mistakes might create in the Minds of those who are unacquainted with the Nature of these Offices to which he has alluded, and are but too much disposed to look for Abuses in all Authority which they do not understand, it may here be necessary to explain, that the sole Function of the Aumeens is to compile the necessary Papers of Government for ascertaining, to the greatest possible Degree of Precision, the true Value of the Lands, in order to form the new Settlement of the public Revenue.

" They are invested with no Powers which would give them exclusive Advantages in buying or selling.

" A common Gomastah, sent under my Influence, (if my Influence can give them extraordinary Privileges), could deal on an equal Footing with them; nor is it possible to believe, that having undertaken a Measure of the last Importance, on the Success of which my Reputation and future Prospects essentially depends, I should increase the Obstacles avowedly raised to it by Two Members of the Administration, and hazard its Defeat, by diverting the Attention of those employed in the Execution of it, for the trifling Consideration of adding a few Rupees to the Profits of my Secretary.

" The Utility or Inutility of the Measure, which has given Rise to these Objections and Answers, will be best proved by its Effect; and that this may be fairly made, I pledge myself that Mr. Belli shall keep exact Accounts of the Purchases, Charges, and Expenditure, of all the Stores committed to his Charge; and I will become responsible for his producing them before the Board, if ever the Court of Directors shall be pleased to order it; and that the Profits arising therefrom shall be paid into the Company's Treasury, and appropriated as they shall direct, if they shall not deem them the just Reward of Mr. Belli's Services and Fidelity.

(Signed) " W. Hastings."

" General Clavering.—The Objections I have made to the victualling the Fort by the Governor General's Secretary, are not and cannot be answered by him.

" The Instance the Governor General brings of Captain Webber's commanding a Regiment in the Vizier's Service, is brought to compare with his Secretary having the Appointment of Agent Victualler in the Company's Service. The one is not forbidden by the Company, the other is expressly.

" The Board has ordered all the Accounts of Money paid to the Nabob's Officers to be laid before them, when it will appear whether Captain Webber has received more or less than he is intitled to. If the former, I hope he will be punished; I will never protect any Man who is guilty of Malversation or Fraud, and the Governor General knows that I even parted with my Banyan, on hearing that he had presumed on my Protection to do an Act which he very well knew was so contrary to my Intentions as the taking a Farm. In regard to the Governor General's malevolent Insinuations of the Emoluments which Captain Webber has received, I must beg the Court of Directors will suspend their Opinion till the Accounts come down. If he may be credited, he is not yet paid what he has disbursed for the Purchase of Horses, and is now very much in Debt on that Account. I beg leave to assure the Governor General, that I am not singular in supposing the Aumeens may not be so totally occupied with their Accounts, as not to have Leisure to give a little Assistance to his Secretary, in purchasing his Stores: It is impossible for the Government to know what Powers they may usurp; they correspond only with the Governor General, and are only accountable to him for their Conduct.

(Signed) " J. Clavering."

" All the above Opinions having been received before the Close of the Triton's Packet, the Secretary caused Copies to be prepared and transmitted to the Court of Directors, and Mention was made in the General Letter of the Resolution of the Board, to allow an annual Commission of 30 $\frac{1}{2}$ Cent. to the Agent, on the Provision of the Stores required for the Supply of the Fort.

" Agreed, that the above Resolution be now recorded in this Place.

“ Governor General.—I move that Mr. Bessie be appointed Agent of victualling Stores for the Garrison of Fort William, according to the Plan recommended by me on the 4th of November.

“ Mr. Francis.—I acquiesce.

“ Mr. Barwell agrees.

“ General Clavering.—I object; there is actually a Company's Servant who is nominally in the Possession of this Office; this Servant (Mr. Johnson) must be first removed before another is appointed.

“ The Governor General.—I believe that there is no such Appointment.

“ General Clavering.—I move that this Matter be suspended until the Fact be ascertained by the Secretary.

“ Resolved, that this Appointment be suspended until the Secretary shall have ascertained whether Mr. Johnson holds the Office of Agent Victualler by an Appointment of the Board.

“ General Clavering having objected to the sixth Paragraph of the General Letter prepared for the Triton, the Secretary received the following Letter and Minute from him on that Occasion, and Copy of the Minute was sent a Number in the Packet.

“ To Mr. Auriol.

“ Sir,

“ I send you my Protest to the sixth Paragraph in the Letter to the Court of Directors, written in the secret Department, and desire it may make a Number in the Packet.

(Signed)

“ J. Clavering.”

Gen. Clavering's Dissent to the General Letter per Triton.

“ General Clavering.—I protest against the sixth Paragraph of the General Letter going from the secret Department to the Court of Directors by this Dispatch, because I conceive the Board is not warranted by any Act of the Government of Poona, or Declaration of their Ministers, to draw the Conclusions that are inferred, and even expressed in this Paragraph, ‘ that we have Reason to suspect they mean to take Advantage of our Confidence in their good Faith, to detain Colonel Upton by Compulsion.’

“ If we consider the two Letters referred to, there is nothing in them that can imply the Construction that is given to them: The Word ‘ dismiss,’ in the Paishwa's Letter, and ‘ Content,’ in Colonel Upton's, import the same Meaning, which is no more than expressing the usual Ceremony in Hindostan of granting Dismission or Leave to go away to Inferiors by Superiors. If we refer to the public Conduct of the Mahratta State, we have no Reason to complain of their Violation of Treaties, or their Breach of good Faith: They strictly observed the Suspension of Arms, though it was not maintained on the Part of the Presidency of Bombay; they have endeavoured to fulfil the Treaty concluded with Colonel Upton, though it has been all along evaded by the Government of Bombay, first by giving Refuge to Ragoba at Surat, then secretly negotiating with Sudaba and protecting his Followers, and lastly by affording an Asylum to Ragoba himself in Bombay. If, after the Sacrifice of Salsette, the Territory near Broach, and what was still more degrading to them, they offer to pay the Expences of the War by giving up certain Territories till they were liquidated, nobody can blame the Paishwa for uttering Complaints, that he had made all these Sacrifices without obtaining what he had a Right to expect, Peace. The Conclusions therefore drawn from any Expressions of Complaint in the Paishwa's Letters are ungenerous, and rather imply an Intention to quarrel with him, than he with us.

(Signed)

“ J. Clavering.”

“ Mr. Francis having made the following Objection to the eleventh Paragraph of the General Letter, a Copy of it was sent home a Number in the Triton's Packet.

“ I object to this Paragraph, because it seems to imply the Creation of a new Office, whereas Mr. Fowke executed all the Duties described in this Paragraph, and with the greatest Punctuality and Exactness.

(Signed)

“ P. Francis.”

Mr. Francis's Dissent to the 11th Paragraph of the General Letter.

“ In consequence of Orders from the Governor General, the Secretary prepared and circulated the following Draft of Instructions to Mr. Thomas Graham, and Orders to Mr. Francis Fowke.

“ To Mr. Thomas Graham.

“ Sir,

“ Having appointed you to reside at Benares for the Purpose of transacting any occasional Business which may arise between this Government and Raja Cheyt Sing, we direct that you immediately proceed to that Place.

Instructions to Mr. Thomas Graham.

“ On your Arrival at Benares, you will deliver to the Raja a Letter of Credence, which the Governor General will transmit to you for that Purpose. You will then require from Mr. Francis Fowke, if he should be on the Spot, the Accounts of the Raja's Tribute, and all the public Papers in his Possession, as well respecting his late Deputation to the Raja, as the Post-office at Benares, which was under his Charge, as we have thought proper to invest you also with the Appointment of Post-master there.

“ Having

" Having obtained these Materials, you are regularly to demand and receive Bills of Exchange from the Raja for the Amount of his Monthly Tribute to the Company, which you will punctually remit to us.

" These are the only general Rules which we think it necessary at present to lay down for your Conduct. We shall transmit you special Orders for any future Services that may be required from you.

" We have thought it proper to appoint Mr. D. O. Barwell to be your Assistant, and to fix the Allowances to be drawn by yourself at the same Amount as those granted to Mr. Fowke, which is 1,000 R' ʒ^r Month, and Captain's double Batta for your travelling Charges, and by your Assistant at 300 R' ʒ^r Month.

" We are, &c."

Orders to Mr.
Francis
Fowke.

" Sir,

" Having thought proper to appoint Mr. Thomas Graham to reside at Benares on the Part of this Government, we direct that you deliver up to him the Accounts of Raja Cheyt Sing's Tribute to the Company, together with all the other public Papers of which you are possessed in consequence of your late Commission. We further direct, that you deliver over Charge of the Office of Post-master at Benares, with all its Appurtenances, to Mr. Thomas Graham, as we have also appointed him to that Station.

" We are, &c."

" The above Instructions to Mr. Thomas Graham, and the Letter to Mr. Fowke, were returned from Circulation with the following Minutes :

" Governor General.—Approved. A Letter should also be written to Mr. F. Fowke, directing him, if he is yet at Benares, to deliver up the Amount of the Rajah's Tribute, and all the public Papers in his Possession, to Mr. T. Graham, together with the Charge of the Post-office at Benares, which I recommend to be given to Mr. Graham.

(Signed)

" Warren Hastings.

(Do.)

R. Barwell.

" I acquiesce.

(Do.)

P. Francis."

" I protest against the Letter. Mr Fowkes's Commission was declared to be annulled. Mr. Graham's Appointment which followed, was to transact occasional Business; yet it appears that the annulling Mr. Fowkes's Commission was not intended, as it seemed to profess, to be a Measure of Oeconomy, as Two Persons with Two Salaries are now to perform the same Office which was done before by One.

(Signed)

" Jn^o Clavering."

" Mr. Fowkes's Letter, and Mr. Graham's Instructions, being approved by a Majority of the Board, they were transcribed, signed, and dispatched accordingly.

" The Secretary lays before the Board the following Letter from the Master Attendant.

" To J. P. Auriol Esquire.

" Sir,

" In Reply to your Letter of the 28th instant, you'll be pleased to acquaint the Governor General, that Two of the Pilot Schooners can be prepared in Ten Days to proceed to Chittagong, carrying ten Guns, 8 Four Pounders and 2 Two Pounders for the Quarter Deck, mann'd with 12 Europeans, 22 Lascars: The only Impediment there is at present is the Want of Carriages for the Guns, which I will engage to have completed in the above Time, provided I have the Orders of the Board to make the Carriages in my own Yard.

" At this Season of the Year, in all Probability, after the Schooners are prepared, they may reach Chittagong in Eight Days after they leave this River.

" I am, &c.

" Calcutta,

(Signed)

" H. Wedderburn,

31st December, 1776.

Master Attendant"

" Ordered, That the Master Attendant be directed to keep Two Sloops in Readiness for further Orders.

" Ordered, That the Secretary enquire of the Secretary of the Board of Ordnance, if there be any Ship Carriages for Iron Guns of 4 and 2 Pound Shot, among the Company's Stores; and in case of there being none, that he direct the Master Attendant to furnish an Estimate of the Cost of making such Carriages, and to receive further Orders concerning them. In the mean Time it is agreed, that the Governor General be desired to write a Letter to the Raja of Arracan, complaining of the Depredations made by his Subjects on our Coast, and demanding immediate Reparation by the Punishment of the Offenders, and by the Release of such of the Inhabitants of Bengal as have been forcibly carried into his Country.

" Warren Hastings.

Rich^d Barwell.

P. Francis."

“ Fort William, 13th January 1777.

“ A RETURN of the Killed, Wounded, and Missing, of his Excellency the Vizier's Troops under the Command of Lieutenant Colonel Goddard, at the Siege of Sekrenny Fort, from the 23d to the 25th of December 1756.

ARTILLERY.

	Lt Firewks.		Havildars.		Golan-ders.		Lascars.		Bildars.		Total.	
	Wounded.	Killed.	Wounded.	Killed.	Wounded.	Killed.	Wounded.	Killed.	Wounded.	Killed.	Wounded.	Killed.
2d Company	1	—	—	—	—	—	1	—	—	—	2	—
3d Company	—	—	1	1	1	1	4	1	2	1	8	3
Total	1	—	1	1	1	1	5	1	2	1	10	3

INFANTRY.

	Captains.		Lieuts.		Subadars.		Jinedars.		Havildars.		Naicks.		Tom-toms.		Sepoys.		Golan-ders.		Lascars.		Bildars.		Water-men.		Total.		Wounded.		Missing.	
	Wounded.	Killed.	Wounded.	Killed.	Wounded.	Killed.	Wounded.	Killed.	Wounded.	Killed.	Wounded.	Killed.	Wounded.	Killed.	Wounded.	Killed.	Wounded.	Killed.	Wounded.	Killed.	Wounded.	Killed.	Wounded.	Killed.	Wounded.	Killed.	Wounded.	Killed.	Wounded.	Killed.
2d Regim'. { 1st Battalion	1	—	—	—	2	—	1	1	1	1	3	—	3	5	23	—	—	—	—	—	—	3	—	1	7	39	—	—	—	—
2d Battalion	—	—	—	—	2	1	1	—	—	—	1	—	—	5	19	1	2	—	—	5	—	—	—	1	9	31	—	—	—	—
5th Do. { 1st Battalion	—	—	—	—	1	2	—	—	1	1	—	—	2	8	30	—	—	—	—	—	—	—	—	—	11	40	—	—	—	—
2d Battalion	—	—	—	—	1	5	4	—	5	—	4	—	2	11	39	—	—	—	—	—	—	—	—	—	13	62	—	—	—	—
Total	1	—	2	—	10	3	6	3	9	2	14	—	7	29	111	1	2	1	5	—	3	—	2	40	172	1	17	—	—	—

Lieut. Park, Secretary to Lieut. Col^d Goddard, wounded, but not included in the above. One Subadar and One Sepoy of the 2d Battⁿ, 2d Regim^t, died of their Wounds the 26th instant. One Havildar and One Sepoy of the 1st Battⁿ do. do. the 27th instant.

Included in { Capt^d Lane, dead of his Wounds.
the above. { Lieut^d Blacker. More. 7

(Signed) “ Tho^s Goddard,

To the Honble. Warren Hastings, &c.

" Honble. Sir and Sirs,

" In Obedience to your Commands of the 5th instant, I have paid into the Treasury the Balance of the Cash Account of the Garrison Provision Stores in C^d R^d 46,305 8 3.

" I am much concerned to learn by the same Orders, that the Acc^t I had given in of the Purchase, Sale, and Expenditure of that Service were not sufficiently explicit. I have now the Honor to submit a general Statement of the Whole, which I flatter myself will completely set forth every Part and the Whole at one View.

" The Sums stated under the Heads of Dacca, Patna, and Houghly, as the Amount purchased of the Stores received from those Places in the general Statements, are not to be found in the Cash Accounts, as these are alone confined to Disbursements made at the Presidency.

" A Total of these Articles purchased and sold in Calcutta is made, without including the Articles of Arrack and Copper Chauldrons: These Two Articles remain unliquidated in Store.

" The Total Amount Purchase agrees with the Cash Account, allowing for the deficient Delivery of 1,097 30 Buzar M^{ds} of Doll, as explained in the Store Account, and a small Error in the Calculation of the First Cash Account, which I have not altered, as I believe it has been already written off to Profit and Loss in the General Books.

" Fully to state the entire Loss, I have added to each Article its respective Charge; although it is usual to write off Charges General to Profit and Loss.—I have not included Repairs of Golahs, as that should rather have been a Disbursement by the Engineer than the Store Keeper, and therefore cannot properly be included in the Stores.—The Charges upon decayed Timbers I have also excluded, as a separate Charge only belonging to itself.—And, lastly, the Amount of Servants Wages. This latter might have been run upon the Whole, but for clearer Information I have placed it, and the other Two above-mentioned Articles collectively at the Bottom, thereby completing the Column of Charges.

" The Amount Sales agrees with the Cash Account, allowing for the Sales of 17½ Leagurs of Arrack, which, for Reasons before-mentioned, are not inserted in this Column.

" I have now had the Honor to lay before you,

" 1st. Cash Accounts of Monies received and disbursed.

" 2d. Store Accounts of Goods received and delivered. And,

" 3d. A general comparative Abstract Statement, to check the Whole.

" From these Accounts, as they now stand, I hope every Point will appear fully explained; but should any Thing yet remain unclear, I am anxious to add every Elucidation in my Power.

" Fort William,
8th December 1776.

" I have, &c.
(Signed) " Rich^d Johnson."

" Note for the General Statement.

" The Wastage of the Rice most probably exceeds what could be incurred upon an equal Quantity kept in Bulk. Wanting proper Magazines, it was judged expedient, while kept in Golahs that were constantly liable to Fire and other Accidents, to keep the Grain in Bags, to facilitate speedy Removal. The Bag itself creates Weavels, by which Means this destructive Insect is at once conveyed to every Part of the Grain, whereas, when in Bulk, the interior Parts remain long unaffected.

" The Damage of the other Articles of Grain was excessive, occasioned by being lodged, for Want of proper Magazines, in Casemates, below the Level of the Ground. They were frequently overflowed upon the least Stoppage of the circumjacent Drains. Add to this, the constant Vapour rising from the Ground during Two successive rainy Seasons together, made it so muggy, as to render it barely vendible upon any Terms, or at any Rate.

" Biscuit is an Article that must ever be a total Loss, not only because of its speedy Decay, but also as being an Article of no Consumption by any Set or Cast of the Inhabitants whatever.

" The Wastage of the Oil is also more considerable than it could have been without Accident. It was, according to the Custom of the Country, sunk into the Ground, to prevent the Weight of the Oil from bursting the Jarrs. The interior Part of a Bastion was a Place where a large Number of the Jarrs were sunk up to the Neck, with a small Lid laying over each Jarr loose, for the Purpose of daily Visitation. Upon a heavy Fall of Rain, towards the latter Period of a rainy Season, the Channel that should have carried off the Water being choaked up, the Water lodged, and rose above the Mouths of the Jarrs; in Consequence of which, the Water being the heavier Body, sunk into the Jarrs, and in equal Proportion threw off the Oil.

" The Wastage of the Fire Wood is according to the usual Rate, although it may appear large to whomsoever has not experienced it. The Purchase of every Article has its peculiar Custom, which cannot be deviated from, without making up the Alteration to the Vendor by an enhanced Price, by which little or no Advantage might be obtained. The Custom of Fire Wood

is as follows : The Vendor brings his Boat (from whence it is always to be received) close to the Shore, and throws the Wood, mostly green, overboard into the shallow Water: Thus wetted and mudded, it is to be taken up, and immediately weighed on Shore. Too bulky an Article to be placed under Cover, it was staked in the open Air, where, being exposed to the constant Effect of the Sun, it was soon dried almost to the State of Touch Wood, so dry as to break in throwing down from the Stack to be weighed off upon Delivery of Sale. A Comparison between such opposite States, will easily reconcile the great Loss by Wastage.

“ Salt Beef is an Article unused in the Country, but by the Marine, and that in such small Quantity, as to give little or no Aid to the Sales. The Soldiers of the Garrison now and then bought small retail Quantities at low Prices.

“ Of the Arrack, a small Quantity was begun to be sold, but discontinued as a foreign Article not always procurable.—The Sales and Wastage being but in Part, are not set off in the general Statement; that Head cannot be liquidated until delivered over, or totally expended, and the Leakage fully ascertained.—About 21 Leaguers have hitherto been expended in occasionally filling up such Casks as most required it.—I have applied to Mr. Nixon, the Company's Cooper, for his Opinion upon the Leakage of Arrack, and received it as follows: “ The Leakage of new Spirit will be equal, at least, to 16 per Cent. per Annum, for the first Two Years; after that, about 12 per Cent. per Annum.” But, I believe, the Loss of what is in Store will not be so great by much.

(Signed) “ Richard Johnson.”

“ Fort

“ Fort William, the 13th January 1777.

Fort William, the 13th January 1777.

The Honble. Company in Account with the Storekeeper of the Garrison Provisions for Fort William, for March 1772.									
D ^r		C ^r						C ^r	
1772.									
March.									
To 15,000 Ma ^u fine at 31 S ^r per A. Rupee		12,903 0 0		By Cash received from the Treasury in advance, C ^r R ^r		10,000 0 0			
To 1,500 Do. Grain, at Ma ^u per 1 12		2,625 0 0							
To 5,000 Polly Paddy, at P ^r 13 per 1		384 10 0							
To 50 Ma ^u Mustard Seed Oil, at Ma ^u 1 per 13		650 0 0							
To 500 Do. Biscuit, at 1 per 8		4,000 0 0							
To 7096 Gunny Bags, at A. R ^r 31 per 100		2,200 0 0							
To 2500 Damage Mats, at 8 per 100		200 0 0							
		A. R ^r		22,962 10 0					
		Batta, 8 per Cent.		1,837 8 6					
				24,800 2 6					
To Charges on the above; viz.									
Boat Hire		216 0 0							
Cooly Hire		851 14 0							
Packing, Weighing, Twine, &c.		57 6 0							
Sircars and Peon's Wages and Victuals		45 0 0							
		1257 4 0							
		Batta, 8 per Cent.		100 9 3					
				1,357 13 3		26,157 15 9			
To Stores for repairing the Golahs in the Fort; viz.									
Wood Oil 12 Ma ^u , at 13 A. R ^r per Ma ^u		19 8 0							
Oakum 20 S ^r , at 4 Do.		2 0 0							
Tar 2 Ma ^u , at 15 Do.		30 0 0							
Dammer, 2 15 S ^r , at 6 Do.		14 4 0							
Nails, 15 S ^r , at 18 Do.		6 12 0							
Oil, 10 S ^r , at 12 Do.		3 0 0							
Twine, 7 at 7 Do.		49 0 0							
Gorain Sticks 420, at 1 8 per 2		6 4 0							
Matts 500, at 8 Do.		40 0 0							
Saul Timbers 1		4 0 0							
Bamboes 450, at 16 per 2		72 0 0							
Straw 8 Cawns, at 1 8 per Cawn		120 0 0							
Sundry Poles 20, at 12 per Corgie		12 0 0							
Earthen Potts 13, Gurnalls 2, Cevits and Paper 1		2 0 0							
Teck Plank, 4 R ^r per Foot		4 0 0				383 12 9			
To Charges on the above.									
Calks, Bags, Duppets, Twine, &c.		6 0 0							
Boat Hire		9 0 0							
Cooly Hire		35 0 0							
						50 0 0			
		A. R ^r		433 12 9					
		Batta 8 per Cent.		34 11 3					
				468 8 0					
				26,626 7 9		Carried forward,			
								10,000 0 0	

Fort William, the 13th January 1777. .

D ^r . . . " The Honble. Company in Account with the Storekeeper of the Garrison Provisions of Fort William, for March 1772.				C ^t			
				Brought forward, — — — — —			
1772.				By Balance received from the Treasury, as per Order, in Consultation, 31 st March			
To Cooley Hire for 46 Calks of Salt Beef, at 1 8 per Calk, 69 0 0				10,000 0 0			
To Do. removing Do. at 8 Do. 23 0 0				18,025 6 6			
To 100 M ^{ss} Stowage Wood for Do. at 25 per 8 M ^{ss} . — 25 0 0							
Brought forward, 117 0 0							
Batta, 8 per Cent. — 9 5 9							
To 6 Padlocks for Golahs, &c. at 1 8 9 0 0							
To 9 Leaden Marks for Do. 6 0 0							
To a Box for Mufers 2 0 0							
To Jarvis for 50 M ^{ss} Oil 15 0 0							
To 1700 Gunny Bags for the Grain from Patna, at 30 per Cent. 510 0 0							
Brought forward, 542 0 0							
Batta, 8 per Cent. — 43 6 0							
To Cooley Hire for 1825 Bags of Rice, at 1 1/2 Annas per Bag, 172 0 0							
To packing, stowing, &c. for Do. 9 12 0							
To 1000 Mats for Dunnage for Do. at 8 per Cent. 80 0 0							
Brought forward, 261 12 0							
Batta, 8 per Cent. — 21 0 0							
30th. To Servants Wages. 50 0 0							
Storekeepers Allowance 50 0 0							
3 Sircars 30 0 0							
10 Durwans 9 0 0							
3 Meters to clean Golahs, &c. 43 8 0							
7 Weighman, at C ^t R ^t 7 8 16 0 0							
4 Peons to collect Coolies 198 8 0							
Brought forward, 15 15 0							
Batta, 8 per Cent. — 204 7 0							
Brought forward, 28,025 6 6							
Batta, 8 per Cent. — 224 12 0							
Brought forward, 28,249 7 6							
Batta, 8 per Cent. — 224 12 0							
Brought forward, 28,473 8 6							
Batta, 8 per Cent. — 224 12 0							
Brought forward, 28,697 9 6							
Batta, 8 per Cent. — 224 12 0							
Brought forward, 28,921 11 6							
Batta, 8 per Cent. — 224 12 0							
Brought forward, 29,145 13 6							
Batta, 8 per Cent. — 224 12 0							
Brought forward, 29,369 15 6							
Batta, 8 per Cent. — 224 12 0							
Brought forward, 29,593 17 6							
Batta, 8 per Cent. — 224 12 0							
Brought forward, 29,817 19 6							
Batta, 8 per Cent. — 224 12 0							
Brought forward, 30,041 21 6							
Batta, 8 per Cent. — 224 12 0							
Brought forward, 30,265 23 6							
Batta, 8 per Cent. — 224 12 0							
Brought forward, 30,489 25 6							
Batta, 8 per Cent. — 224 12 0							
Brought forward, 30,713 27 6							
Batta, 8 per Cent. — 224 12 0							
Brought forward, 30,937 29 6							
Batta, 8 per Cent. — 224 12 0							
Brought forward, 31,161 31 6							
Batta, 8 per Cent. — 224 12 0							
Brought forward, 31,385 33 6							
Batta, 8 per Cent. — 224 12 0							
Brought forward, 31,609 35 6							
Batta, 8 per Cent. — 224 12 0							
Brought forward, 31,833 37 6							
Batta, 8 per Cent. — 224 12 0							
Brought forward, 32,057 39 6							
Batta, 8 per Cent. — 224 12 0							
Brought forward, 32,281 41 6							
Batta, 8 per Cent. — 224 12 0							
Brought forward, 32,505 43 6							
Batta, 8 per Cent. — 224 12 0							
Brought forward, 32,729 45 6							
Batta, 8 per Cent. — 224 12 0							
Brought forward, 32,953 47 6							
Batta, 8 per Cent. — 224 12 0							
Brought forward, 33,177 49 6							
Batta, 8 per Cent. — 224 12 0							
Brought forward, 33,401 51 6							
Batta, 8 per Cent. — 224 12 0							
Brought forward, 33,625 53 6							
Batta, 8 per Cent. — 224 12 0							
Brought forward, 33,849 55 6							
Batta, 8 per Cent. — 224 12 0							
Brought forward, 34,073 57 6							
Batta, 8 per Cent. — 224 12 0							
Brought forward, 34,297 59 6							
Batta, 8 per Cent. — 224 12 0							
Brought forward, 34,521 61 6							
Batta, 8 per Cent. — 224 12 0							
Brought forward, 34,745 63 6							
Batta, 8 per Cent. — 224 12 0							
Brought forward, 34,969 65 6							
Batta, 8 per Cent. — 224 12 0							
Brought forward, 35,193 67 6							
Batta, 8 per Cent. — 224 12 0							
Brought forward, 35,417 69 6							
Batta, 8 per Cent. — 224 12 0							
Brought forward, 35,641 71 6							
Batta, 8 per Cent. — 224 12 0							
Brought forward, 35,865 73 6							
Batta, 8 per Cent. — 224 12 0							
Brought forward, 36,089 75 6							
Batta, 8 per Cent. — 224 12 0							
Brought forward, 36,313 77 6							
Batta, 8 per Cent. — 224 12 0							
Brought forward, 36,537 79 6							
Batta, 8 per Cent. — 224 12 0							
Brought forward, 36,761 81 6							
Batta, 8 per Cent. — 224 12 0							
Brought forward, 36,985 83 6							
Batta, 8 per Cent. — 224 12 0							
Brought forward, 37,209 85 6							
Batta, 8 per Cent. — 224 12 0							
Brought forward, 37,433 87 6							
Batta, 8 per Cent. — 224 12 0							
Brought forward, 37,657 89 6							
Batta, 8 per Cent. — 224 12 0							
Brought forward, 37,881 91 6							
Batta, 8 per Cent. — 224 12 0							
Brought forward, 38,105 93 6							
Batta, 8 per Cent. — 224 12 0							
Brought forward, 38,329 95 6							
Batta, 8 per Cent. — 224 12 0							
Brought forward, 38,553 97 6							
Batta, 8 per Cent. — 224 12 0							
Brought forward, 38,777 99 6							
Batta, 8 per Cent. — 224 12 0							
Brought forward, 39,001 101 6							
Batta, 8 per Cent. — 224 12 0							
Brought forward, 39,225 103 6							
Batta, 8 per Cent. — 224 12 0							
Brought forward, 39,449 105 6							
Batta, 8 per Cent. — 224 12 0							
Brought forward, 39,673 107 6							
Batta, 8 per Cent. — 224 12 0							
Brought forward, 39,897 109 6							
Batta, 8 per Cent. — 224 12 0							
Brought forward, 40,121 111 6							
Batta, 8 per Cent. — 224 12 0							
Brought forward, 40,345 113 6							
Batta, 8 per Cent. — 224 12 0							
Brought forward, 40,569 115 6							
Batta, 8 per Cent. — 224 12 0							
Brought forward, 40,793 117 6							
Batta, 8 per Cent. — 224 12 0							
Brought forward, 41,017 119 6							
Batta, 8 per Cent. — 224 12 0							
Brought forward, 41,241 121 6							
Batta, 8 per Cent. — 224 12 0							
Brought forward, 41,465 123 6							
Batta, 8 per Cent. — 224 12 0							
Brought forward, 41,689 125 6							
Batta, 8 per Cent. — 224 12 0							
Brought forward, 41,913 127 6							
Batta, 8 per Cent. — 224 12 0							
Brought forward, 42,137 129 6							
Batta, 8 per Cent. — 224 12 0							
Brought forward, 42,361 131 6							
Batta, 8 per Cent. — 224 12 0							
Brought forward, 42,585 133 6							
Batta, 8 per Cent. — 224 12 0							
Brought forward, 42,809 135 6							
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Brought forward, 43,033 137 6							
Batta, 8 per Cent. — 224 12 0							
Brought forward, 43,257 139 6							
Batta, 8 per Cent. — 224 12 0							
Brought forward, 43,481 141 6							
Batta, 8 per Cent. — 224 12 0							
Brought forward, 43,705 143 6							
Batta, 8 per Cent. — 224 12 0							
Brought forward, 43,929 145 6							
Batta, 8 per Cent. — 224 12 0							
Brought forward, 44,153 147 6							
Batta, 8 per Cent. — 224 12 0							
Brought forward, 44,377 149 6							
Batta, 8 per Cent. — 224 12 0							
Brought forward, 44,601 151 6							
Batta, 8 per Cent. — 224 12 0							
Brought forward, 44,825 153 6							
Batta, 8 per Cent. — 224 12 0							
Brought forward, 45,049 155 6							
Batta, 8 per Cent. — 224 12 0							
Brought forward, 45,273 157 6							
Batta, 8 per Cent. — 224 12 0							
Brought forward, 45,497 159 6							
Batta, 8 per Cent. — 224 12 0							
Brought forward, 45,721 161 6							
Batta, 8 per Cent. — 224 12 0							
Brought forward, 45,945 163 6							
Batta, 8 per Cent. — 224 12 0							
Brought forward, 46,169 165 6							
Batta, 8 per Cent. — 224 12 0							
Brought forward, 46,393 167 6							
Batta, 8 per Cent. — 224 12 0							
Brought forward, 46,617 169 6							
Batta, 8 per Cent. — 224 12 0							
Brought forward, 46,841 171 6							
Batta, 8 per Cent. — 224 12 0							
Brought forward, 47,065 173 6							
Batta, 8 per Cent. — 224 12 0							
Brought forward, 47,289 175 6							
Batta, 8 per Cent. — 224 12 0							
Brought forward, 47,513 177 6							
Batta, 8 per Cent. — 224 12 0							
Brought forward, 47,737 179 6							
Batta, 8 per Cent. — 224 12 0							
Brought forward, 47,961 181 6							
Batta, 8 per Cent. — 224 12 0							
Brought forward, 48,185 183 6							
Batta, 8 per Cent. — 224 12 0							
Brought forward, 48,409 185 6							
Batta, 8 per Cent. — 224 12 0							
Brought forward, 48,633 187 6							
Batta, 8 per Cent. — 224 12 0							
Brought forward, 48,857 189 6							
Batta, 8 per Cent. — 224 12 0							
Brought forward, 49,081 191 6							
Batta, 8 per Cent. — 224 12 0							
Brought forward, 49,305 193 6							
Batta, 8 per Cent. — 224 12 0							
Brought forward, 49,529 195 6							
Batta, 8 per Cent. — 224 12 0							
Brought forward, 49,753 197 6							
Batta, 8 per Cent. — 224 12 0							
Brought forward, 49,977 199 6							
Batta, 8 per Cent. — 224 12 0							
Brought forward, 50,201 201 6							
Batta, 8 per Cent. — 224 12 0							
Brought forward, 50,425 203 6							
Batta, 8 per Cent. — 224 12 0							
Brought forward, 50,649 205 6							
Batta, 8 per Cent. — 224 12 0							
Brought forward, 50,873 207 6							
Batta, 8 per Cent. — 224 12 0							
Brought forward, 51,097 209 6							
Batta, 8 per Cent. — 224 12 0							
Brought forward, 51,321 211 6							
Batta, 8 per Cent. — 224 12 0							
Brought forward, 51,545 213 6							
Batta, 8 per Cent. — 224 12 0							
Brought forward, 51,769 215 6							
Batta, 8 per Cent. — 224 12 0							
Brought forward, 51,993 217 6							
Batta, 8 per Cent. — 224 12 0							
Brought forward, 52,217 219 6							
Batta, 8 per Cent. — 224 12 0							
Brought forward, 52,441 221 6							
Batta, 8 per Cent. — 224 12 0							
Brought forward, 52,665 223 6							
Batta, 8 per Cent. — 224 12 0							
Brought forward, 52,889 225 6							
Batta, 8 per Cent. — 224 12 0							
Brought forward, 53,113 227 6							
Batta, 8 per Cent. — 224 12 0							
Brought forward, 53,337 229 6							
Batta, 8 per Cent. — 224 12 0							
Brought forward, 53,561 231 6							
Batta, 8 per Cent. — 224 12 0							
Brought forward, 53,785 233 6							
Batta, 8 per Cent. — 224 12 0							
Brought forward, 54,009 235 6							
Batta, 8 per Cent. — 224 12 0							
Brought forward, 54,233 237 6							
Batta, 8 per Cent. — 224 12 0							
Brought forward, 54,457 239 6							
Batta, 8 per Cent. — 224 12 0							
Brought forward, 54,681 241 6							
Batta, 8 per Cent. — 224 12 0							
Brought forward, 54,905 243 6							
Batta, 8 per Cent. — 224 12 0							
Brought forward, 55,129 245 6							
Batta, 8 per Cent. — 224 12 0							
Brought forward, 55,353 247 6							
Batta, 8 per Cent. — 224 12 0							
Brought forward, 55,577 249 6							
Batta, 8 per Cent. — 224 12 0							
Brought forward, 55,801 251 6							
Batta, 8 per Cent. — 224 12 0							
Brought forward, 56,025 253 6							
Batta, 8 per Cent. — 224 12 0							
Brought forward, 56,249 255 6							
Batta, 8 per Cent. — 224 12 0							
Brought forward, 56,473 257 6							
Batta, 8 per Cent. — 224 12 0							
Brought forward, 56,697 259 6							
Batta, 8 per Cent. — 224 12 0							
Brought forward, 56,921 261 6							
Batta, 8 per Cent. — 224 12 0							
Brought forward, 57,145 263 6							
Batta, 8 per Cent. — 224 12 0							
Brought forward, 57,369 265 6							
Batta, 8 per Cent. — 224 12 0							
Brought forward, 57,593 267 6							
Batta, 8 per Cent. — 224 12 0							
Brought forward, 57,817 269 6							
Batta, 8 per Cent. — 224 12 0							
Brought forward, 58,041 271 6							
Batta, 8 per Cent. — 224 12 0							
Brought forward, 58,265 273 6							
Batta, 8 per Cent. — 224 12 0							
Brought forward, 58,489 275 6							
Batta, 8 per Cent. — 224 12 0							
Brought forward, 58,713 277 6							
Batta, 8 per Cent. — 224 12 0							
Brought forward, 58,937 279 6							
Batta, 8 per Cent. — 224 12 0							
Brought forward, 59,161 281 6							
Batta, 8 per Cent. — 224 12 0							
Brought forward, 59,385 283 6							
Batta, 8 per Cent. — 224 12 0							
Brought forward, 59,609 285 6							
Batta, 8 per Cent. — 224 12 0							
Brought forward, 59,833 287 6							
Batta, 8 per Cent. — 224 12 0							
Brought forward, 60,057 289 6							
Batta, 8 per Cent. — 224 12 0							
Brought forward, 60,281 291 6							
Batta, 8 per Cent. — 224 12 0							
Brought forward, 60,505 293 6							
Batta, 8 per Cent. — 224 12 0							
Brought forward, 60,729 295 6							
Batta, 8 per Cent. — 224 12 0							
Brought forward, 60,953 297 6							
Batta, 8 per Cent. — 224 12 0							
Brought forward, 61,177 299 6							
Batta, 8 per Cent. — 224 12 0							
Brought forward, 61,401 301 6							
Batta, 8 per Cent. — 224 12 0							
Brought forward, 61,625 303 6							
Batta, 8 per Cent. — 224 12 0							
Brought forward, 61,849 305 6							
Batta, 8 per Cent. — 224 12 0							
Brought forward, 62,073 307 6							
Batta, 8 per Cent. — 224 12 0							
Brought forward, 62,297 309 6							
Batta, 8 per Cent. — 224 12 0							
Brought forward, 62,521 311 6							

“ Fort William, the 13th January 1777.

Fort William, the 13th January 1777.

Dr.		Cr.	
“ The Honble. Company in Account with the Storekeeper of the Garrison Provisions for Fort William.		“ The Honble. Company’s Cash.	
To the Honble. Company’s Cash.		By the Honble. Company’s Cash.	
The Amount paid on the 16th instant to the Master Attendant, for 76 Casks of Beef, purchased by him, but placed to the Head of Garrison Provisions, Fort William, and omitted to be transferred by the Storekeeper — — — — —		The Amount paid on the 16th instant to the Master Attendant, for 46 Casks of Beef, purchased by him, but placed to the Debit of the Garrison Provisions for Fort William, and omitted to have been transferred by the Storekeeper — — — — —	
To Purchases and Disbursements, as per Account Particulars hereunto annexed — — — — —		By Treasury.	
		Received from thence as follows; viz:	
		May. By an Order of Council, dated 7th instant 18,000	
		July. By Do. 2d Do. 70,000	
		Sept. By Do. 1st Do. 25,000	
		Octr. By Do. 22d Do. 20,000	
		Decr. By Do. 3d Do. 47,250	
		1773. By Do. 20th Do. 20,000	
		Febr’y. By Do. Do. 20,790	
		June	2,21,400 0 0
Current Rupees — — — — —		Balance — — — — —	2,25,262 12 9
			16,315 2 9
		Current Rupees — — — — —	2,41,577 15 6

“ Fort William, 30th April 1774.
Errors excepted.
(Signed) “ Rich^d Johnfon.”

" Fort William, the 13th January 1771.

" Account of Purchases and Disbursements made for the Garrison Provision Stores for Fort William to the End of April 1774."

1179. Rice 1772 Maunds	24,332	at 31	S ^r $\frac{1}{2}$ Rupee	31,396	2	0
1180. D ^o 1773	10,000	35	D ^o	11,428	12	0
1179. Wheat 1772	1,000	at 1	8 $\frac{1}{2}$ M ^d	1,500	0	0
Doll D ^o	3,787	1	5 $\frac{1}{2}$ D ^o	5,293	0	0
Tobacco D ^o	698	3	8 $\frac{1}{2}$ D ^o	2,425	8	0
Biscuit 1773	1,000	8	0 $\frac{1}{2}$ D ^o	8,000	0	0
Beef Casks	113	80	0 $\frac{1}{2}$ Cask	9,040	0	0
Arrack 1772 Leagures	203 $\frac{1}{2}$	215	0 $\frac{1}{2}$ Leag ^r	43,752	8	0
D ^o 1773	350	180	0 $\frac{1}{2}$ D ^o	63,000	0	0
1772. Copper Chauldrons M ^t M ^d	73 $\frac{1}{2}$	80	0 $\frac{1}{2}$ M ^d	6,280	0	0
1772. Oil	801	10 $\frac{1}{2}$	0 $\frac{1}{2}$ D ^o	8,410	8	0
Gunny Bags	30,300	270	$\frac{1}{2}$ $\frac{1}{2}$	8,181	0	0
				<hr/>		
				1,98,707		
				6 0		

Charges Merchandize.

Rice.—Matts for Dunnage, 60,26	—	450	11	6		
Jarool Planks for D ^o 320	—	237	9	6		
Boat-hire	—	213	4	9		
Cooley Hire upon 34,332 M ^d	—	2,152	9	6		
Packing Twine, and Marking	—	108	9	9		
				<hr/>		
				3,162		
				13 0		
Wheat.						
Cooley Hire	—	69	12	6		
Packing Twine, and Marking	—	4	3	0		
				<hr/>		
				73		
				15 6		
Doll.—Cooley Hire	—	245	2	9		
Packing Twine, and Marking	—	9	14	0		
				<hr/>		
				255		
				9 0		
Tobacco.—Cooley Hire	—	155	12	3		
Biscuit.						
Racks	—	125	11	0		
Matts	—	68	10	9		
Cooley Hire	—	208	14	6		
Bakers Charges on keeping the Godown heated	—	46	4	6		
				<hr/>		
				449		
				8 9		
Beef.—Cooper Charges	—	38	15	0		
Cooley Hire	—	502	9	0		
				<hr/>		
				540		
				15 9		
Arrack.						
Cooley Hire	—	1,728	4	0		
Ropes for transporting the Leag ^r	—	7	9	3		
Tin Plates to secure Bungs	—	6	14	6		
Wooden Racks	—	295	1	3		
Cooperage	—	248	6	3		
				<hr/>		
				2,286		
				3 3		
Copper Chauldrons.						
Cooley Hire	—	38	15	9		
Oil.—Jars 51	—	331	11	2		
Dubbers	—	1	5	6		
Cooley Hire	—	187	9	6		
				<hr/>		
				520		
				10 3		
				<hr/>		
Carry over,				7,328		
				11 3		
				<hr/>		
				1,98,707		
				6 0		

" Fort William, the 13th January 1777.

	Brought over,	7,328 11 3	1,98,707 6 0
Gunny Bags.			
Cooley Hire — — —	—	16 9 9	
Cooley Hire upon Saul Timbers received from Storekeeper, Works making into Piles, and collecting from different Parts of the Fort into the Railing — — —	1,017 1 3		
D ^r for piling Firewood, and Transport from the Water-side — — —	1,127 5 0		
		2,144 6 3	
Repairing Golahs — — —	994 2 0		
Railing for Firewood — — —	248 4 6		
Leaden Numbers and Padlocks — — —	68 8 3		
Weighing Firewood — — —	288 13 9		
Removing Paddy and Grain to repair the Cafemate they were in } — — —	241 1 6		
		1,840 14 0	
			11,485 13 3

Charges upon Stores from Dacca.

Rice.—Mats 1,000 — — —	81 0 0		
Cooley Hire — — —	739 7 6		
Weighing — — —	70 1 6		
Packing Twine, and Marking — — —	67 3 6		
		957 12 6	
Oil.—Jars 40, including Transport — — —	202 7 3		
Cooley Hire upon 557 Maunds — — —	123 12 0		
11 Pipes — — —	178 3 3		
Coopers Charges — — —	22 0 0		
Weighing — — —	9 2 3		
		535 8 9	
Jaerpaut.			
Cooley Hire, 168 Bundles — — —	8 3 9		
Weighing — — —	0 6 3		
		8 10 0	
Paddy.—Cooley Hire — — —	11 12 3		
Weighing — — —	0 10 0		
Packing Twine, and Marking — — —	1 2 6		
		13 8 9	
Ghee.—Dubbers 141 — — —	95 2 6		
Cooley Hire — — —	42 14 3		
Weighing — — —	1 6 0		
		139 6 9	
Grain.—Cooley Hire upon 4,040 M ^d — — —	279 2 9		
Packing and Marking — — —	14 10 0		
Weighing — — —	17 13 9		
		311 10 6	
			1,966 9 3

Charges upon Stores from Patna.

Pease and Boot.			
Cooley Hire upon 3,873 M ^d — — —	321 1 9		
Weighing — — —	16 10 3		
Packing, Twine, and Marking — — —	13 12 3		
Carry forward,		351 8 3	2,12,169 12 6

(1431)

" Fort William, the 13th January 1777.

	Brought forward,	351	8	3	2,12,169	12	6
Wheat.							
Cooley Hire upon 3,224 M ^{ds}	—	308	5	9			
Packing Twine and Marking	—	14	14	0			
Weighing	—	21	14	0			
					345	1	9
						696	10 0

Charges upon Stores from Houghly.

Rice.—Cooley Hire upon 15,570 M ^{ds}	—	817	9	0			
Matts 4,600	—	364	2	6			
Boat Hire for unloading the larger Boats		183	9	3			
Weighing	—	57	3	0			
Packing	—	5	15	0			
					1,428	6	19
Paddy.							
Dunnage 700 M ^{ds}	—	217	6	6			
Wooden Measures 10	—	1	7	0			
Measuring and Weighing	—	56	7	0			
Cooley Hire	—	449	2	6			
					724	7	0
						2,152	13 9
Servants Wages, from April 1772 to April 1773, at 198 : 8,							
as particularised in Account N ^o 1. being 12 Months, makes					2,382	0	0
From D ^o 1773, to D ^o 1774, at D ^o	—				2,382	0	0
						4,764	0 0
					Arcot Rupees	2,19,773	4 3
					Batta, 8 per Cent.	17,581	14 6
					Current Rupees	2,37,355	2 9

" Fort William, 30th April 1774.

Errors excepted.

(Signed)

" Rich^d Johnson."

" Fort William, the 13th January 1777.

" Fort William, the 13th January 1777.

Account of Stores received from the Collector of Houghly, and fold on Account of the Honourable Company.

1772.					1774.				
March 30th.	Rice	Maunds	4,804	22	0	Sold, as per Cash Account, Maunds	15,167	7	12
May 31st	Ditto	—	10,766	0	12	Waftage	403	15	0
			15,570	22	12				
March 21st.	Paddy	Pollicies	56,442	0	0	Sold, as per Cash Account, Pollicies	54,343½	0	0
						Waftage	2,098½	0	0
							56,442	0	0

" Fort William, 8th December 1776.

E. E.

(Signed)

" Richard Johnson."

" Fort William, the 13th January 1777.

" Fort William, the 13th January 1777.

Account of Stores received from the Chief of Dacca, and fold on Account of the Honourable Company.

1772. Rice	—	M ^d	15,546	25	4	1774. Sold	—	M ^d	14,364	37	0	
								Waftage	1,181	28	4	
									15,546	25	4	
Oil	—	—	M ^d	558	17	12	Sold	—	294	16	0	
								Waftage	264	1	12	
									558	17	12	
Grain	—	—	M ^d	4,444	0	0	Sold	—	4,348	19	0	
								Waftage	95	21	0	
									4,444	0	0	
Ghee	—		M ^d	407	0	12	Sold	—	335	10	12	
								Waftage	71	30	0	
									407	0	12	
Paddy	—		M ^d	1737	0	0	Sold	—	Pollicies	1,674	0	0
								Waftage	63	0	0	
									1,737	0	0	
Taefpaut	—		M ^d	98	18	7	Sold	—	M ^d	93	33	8
								Waftage	4	24	12	
									98	18	7	

" Fort William, the 8th of December 1776.

E. E.

(Signed)

" Rich^d Johnson."

" Fort William, the 13th January 1777.

Fort William, the 13th January 1777.

Account of Stores purchased by the Storekeeper of the Garrison Provisions, and sold on Accto' of the Honble. Company.

1772. Rice	—	—	B ^r M ^d	45,351 17 8	1774. Sold, as per Cash Account, B ^r M ^d	—	40,837 3 15 4,514 13 9 <hr/> 45,351 17 8
Wheat, Buzar M ^d s 1,000 or Doll Acco ^t B. N ^o 2, expresses B ^r M ^d .	—	—	Fact ^y M ^d s	1,097 32 0	Sold —	—	1,054 32 8 42 39 8 <hr/> 1,097 32 0
Deduct a Parcel not delivered, because of a Dispute upon the Quality, which therefore remains to be brought to Credit	—	—			Sold —	—	2,832 9 3 145 29 13 <hr/> 2,977 39 0
	3787 0						
	1079 30						
	2707 10	or Fact ^y M ^d s		2,977 39 0			
Grain B ^r M ^d s 15,000	—	—	Fact ^y M ^d s	1,650 0 0	Sold —	—	1,605 38 0 44 2 0 <hr/> 1,650 0 0
Paddy, Bazar Measure 5000 Pollicies	—	—		5,000 0 0	Sold —	—	4,644 0 0 356 0 0 <hr/> 5,000 0 0
Tobacco	—	—	B ^r M ^d s	1,049 17 9	Sold —	—	898 30 14½ 150 26 10½ <hr/> 1,049 17 9
Oil	—	—	M ^d s	957 24 0	Sold —	—	525 18 12 432 5 4 <hr/> 957 24 0
Biscuit	—	—	M ^d s	1,540 0 0	Sold —	—	1,183 25 8 356 14 8 <hr/> 1,500 0 0
Beef	—	—	Casks	159 0 0	Sold — Casks Spoilt	155 4	159 0 0
Arrack	—	—	Leag ^{rs}	553½ 0 0	Sold — Leag ^{rs} In Store, deducting Leakage	17½ 535½	553 ½
Firewood	—	—	M ^d s	79,294 0 0	Sold —	37,094 20 Waftage 42,599 20 <hr/> 79,294 0 0	

" Fort William, the 8th December 1776.

E. E.

(Signed) "Rich Johnson."

“ Fort William, the 13th January 1777.

“ Fort William, the 13th January 1777.

Account of Stores received from the Chief of Patna, and sold on Account of the Honourable Company.

1772. Wheat	—	F ^r M ^{ts}	5,742 28 8	1774. Sold	—	Fact ^r M ^{ts}	5,332 20 8
					Waftage	—	410 8 0
							5,742 28 8
Pease	—	—	2,231 30 0	Sold	—	—	2,200 10 0
					Waftage	—	31 20 0
							2,231 30 0
Boat Grain	—	—	2,028 26 8	Sold, as ⁷ / ₁₀ Cash Acc ^t C. }			1,858 21 8
				Fact ^r M ^{ts}	—		
				Waftage	—		170 5 0
							2,028 26 8

“ Fort William, the 8th Dec^r 1776.

E. E.

(Signed)

“ Rich^d Johnson.”

“ Fort William, 13th January 1777.

Fort William, 13th January 1777.

“ D’ The Honble. Company in Account with the Store Keeper of the Garrison Provisions for Fort William. C’

To Balance last Account, dated 30th April 1774									
To Purchases.									
Firewood	—	M ^{as} 79,294	0 0	at	25 0 per M ^d	19,823	8 0	16,315	2 9
Tobacco	—	—	351 17 9	at	3 8 per D ^o	1,230	1 6		
Oil	—	—	106 24 0	at	10 8 per D ^o	1,119	4 6		
Biscuit	—	—	40 0 0	at	8 0 per D ^o	320	0 0		
Rice	—	—	1,019 17 8	at	31 S ^r per A ^r R	1,315	8 6		
					Batta 8 per Cent.	23,808	5 6		
						1,904	10 9		
To Charges.									
Repairs of Golabs	—	—	—	—	—	456	7 3		
Coolley Hire braying and	—	—	—	—	—	—	—		
Stacking Firewood at 2 8 per 8 M ^d	—	—	—	—	—	—	—		
Transporting upon	—	—	79,294	0 0	at 2 8 1982	—	—		
At Four Annas, Ditto Stacking	—	—	—	—	—	197	8 0		
						2,197	8 0		
Cooperage upon 553 Leags of Arrack, daily visiting and scraping the	—	—	—	—	—	—	—		
Heads of the Calks, furnishing Iron Hoops, and wetting the Calks,	—	—	—	—	—	—	—		
&c. at 80 R ^s per M ^d , for 24 M ^d	—	—	—	—	—	1,920	0 0		
Coolley Hire for removing and replacing the Arrack upon the Sinking	—	—	—	—	—	345	2 0		
of the Racks	—	—	—	—	—	4,764	0 0		
Storekeepers Allowance for Servants at 198½ R ^s per M ^d for 24 Months	—	—	—	—	—	9,665	1 3		
						773	3 3		
					Batta 8 per Cent.	10,438	4 6		
						52,466	7 6		
						49,632	9 6		
Balance in Hand	—	—	—	—	—	1,02,099	1 0		
								Current Rupees	
By Amount of Sales of Calcutta decayed and damaged Stores.									
M ^d S ^r									
1774- Rice	—	M ^{as} 40,837	3 15	at	1 10 R ^s C ^r Rupee	35,283	4 0		
1773- Wheat	—	—	1,054 32 8	at	2 3 P ^r Maund	149	3 0		
1773- Doll	—	—	2,832 26 8	at	3 1 P ^r D ^o	469	13 3		
					C ^r R ^s				
1774- Oil	—	—	525 18 12	at	9 4 0 P ^r D ^o	4,869	9 6		
1774- Firewood	—	—	37,094 20 0	at	22 4 5 P ^r D ^o	8,284	9 9		
1774- Biscuit	—	—	1,583 25 0	at	10 0 0 P ^r M ^d	65	10 9		
1774- Gunny Bags	—	—	31,410 0 0	at	6 12 3 P ^r D ^o	2,125	12 9		
1774- Tobacco	—	—	898 30 14	at	2 0 0 P ^r M ^d	1,797	8 9		
1774- Paddy 4,644 Poll ^s or M ^{as}	—	—	475 31 8	at	0 5 0 P ^r M ^d	149	2 6		
1773- Beef	—	—	153 0 0	at	34 1 2 P ^r Cask	5,212	13 0		
1773- Arrack	—	—	174 0 0	at	238 8 0 P ^r L ^r	4,134	3 6		
1773- Grains	—	—	M ^{as} 1,605 38 0	at	8 5 0 P ^r M ^d	843	6 9		
						63,372	1 6		
Dacca decayed and damaged Stores.									
1774- Rice	—	M ^{as} 14,364	37 0	at	0 5 0 P ^r M ^d	11,571	3 0		
1773- Paddy Poll ^s 1,074, or M ^{as}	—	—	181 30 0	at	0 13 0 P ^r D ^o	56	12 9		
1773- Grain	—	—	4,384 19 0	at	0 13 0 P ^r D ^o	3,578	6 9		
1774- Oil	—	—	294 1 0	at	9 4 0 P ^r D ^o	2,719	12 9		
1774- Chee	—	—	335 10 12	at	9 8 0 P ^r D ^o	3,185	0 9		
1774- Tactpant	—	—	93 33 8	at	2 0 0 P ^r D ^o	187	10 9		
1774- Gunny Bags	—	—	30 0 0	at	0 0 0	30	0 0		
						21,328	13 9		
Patna decayed and damaged Stores.									
1774- Wheat	—	M ^{as} 5,332	0 0	at	4 3 0 P ^r M ^d	1,416	5 0		
1773- Grains	—	—	1,858 21 8	at	0 0 0	857	2 6		
1774- Pease	—	—	2,200 10 0	at	—	1,194	10 0		
1774- Gunny Bags	—	—	—	at	—	277	15 6		
						3,746	1 0		
Houghly decayed and damaged Stores.									
1774- Rice	—	M ^{as} 15,001	—	at	—	10,159	1 0		
1773- Paddy	—	—	5,569	at	—	2,421	4 3		
1774- Gunny Bags	—	—	—	at	—	1,071	11 6		
						13,652	0 9		
						Cur ^r Rupees	1,02,099	1 0	

“ Fort William, 30th April 1776.
E. L.
(Signed) “ Rich^d Johnson.”

Read,

Read, also, from the same Book, the following Extract of a Consultation of the 16th January 1777.

" Fort William, the 16th January 1777.

Secret Dep't.
Thursday.

" At a Council; Present,
The Honble. Warren Hastings, Governor General, President;
Lieutenant General John Clavering;
Richard Barwell, } Esquires.
Philip Francis, }

" Read, and approved the Proceedings of the 13th instant.

" The Secretary having referred to the Consultations for the Appointment of Mr. Johnson to the Office of Agent Victualler, according to the Orders of the Board last Council Day, sent round the following Report.

Secretary's
Report.

" Having carefully referred to the Records in my Office for the Appointment of Mr. Johnson to the Post of Agent for the Supplies of Victualling Stores to the Garrison, I beg Leave to acquaint the Board, that no such Appointment appears on the Consultations. The only Proceedings of the Board respecting a Supply to the Fort, before the late Minutes on that Subject, I have extracted, and take the Liberty to circulate with this.

(Signed) " J. P. Auriol, Secy. (s)
(Signed at the End of the Consultation)
" Warren Hastings,
Rich^d Barwell,
P. Francis."

Read, a further Extract from the same Book, and same Consultation, as follows :

" It having been agreed to appoint Mr. John Belli to the Post of Agent for the Supply of Victualling Stores to the Garrison of Fort William, his Appointment was accordingly signified to him, and issued in General Orders." (b)

The Managers for the Commons stated, they should next read some Paragraphs of a Letter from the Court of Directors to the Governor General and Council, to prove that They condemned this Agency, and called upon Mr. Hastings to perform his Engagement, that if the Court of Directors disapproved of the extraordinary Profits allotted to the Agents, above the Merchants Report, Restitution should be immediately made.

Read, from Book 221, already delivered in, the following Extract of a Letter from the Court of Directors to the Governor General and Council of Fort William, in Bengal, dated London, 28th (c) Dec. 1778, beginning at Page 593 of the same Book.

107. " In your Plan for victualling the New Fort, we observe the Stores are to be furnished by the Agent at the Bazar or Market Price, and changed at his Expence, so often as shall be found necessary. They are to be purchased with the Company's Advances, and the Agent is to be allowed a Commission or per Centage for Losses which may be occasioned by Decay, Wastage, and Variation of the Markets; and also for Servants Wages and other Expences.

108. " In order to ascertain what Sum would be a reasonable Compensation for the Agent, you very properly agree to consult the principal Merchants of Calcutta on the Subject.

109. " The Persons consulted were Mr. John Robinson, Mr. Charles Croftes, and Mr. David Kellican. They report 12 $\frac{1}{2}$ Cent. as a Compensation for Loss by Decay, Wastage, and Variation of Markets; 5 $\frac{1}{2}$ Cent. for the Agent's Trouble; and 3 $\frac{1}{2}$ Cent. for Cooley Hire, Servants Wages, and Charges of that Nature, amounting in the Whole to 20 $\frac{1}{2}$ Cent. upon the Prime Cost of Stores to be provided.

110. " In the Governor General's Minute respecting the Cost and Expenditure of Stores, it is stated that a Loss has been sustained of 45 $\frac{1}{2}$ Cent. $\frac{1}{2}$ Annum for Two Years; the Governor General therefore concludes that an Allowance of 20 $\frac{1}{2}$ Cent. would neither afford the Agent the smallest Encouragement, nor even the Prospect of an Indemnification for Losses which might be sustained in perishable Stores. He therefore moves, that 30 $\frac{1}{2}$ Cent. $\frac{1}{2}$ Annum be allowed upon all Stores to be provided by the Agent.

(a) Vide Appendix, N^o CCVI.

(b) Vide Appendix, Ibid.

(c) At the Beginning of this Letter is the following Memorandum :

" Dated 23d Dec^r 1778.

Per Norfolk.

Fox.

Gen^l Barker.

Earl Talbot."

But at the End of the Letter it is dated the 28th Dec. 1778. Vide infra, P. 1438.

111. " Mr.

111. " Mr. Barwell says the Opinion of Merchants cannot be opposed to Facts ; and that as the Loss sustained had been 90 $\frac{1}{2}$ Cent. in Two Years (or 45 $\frac{1}{2}$ Cent. $\frac{1}{2}$ Annum) he gives his Assent to the Governor General's Proposal for 30 $\frac{1}{2}$ Cent. per Annum. But if the Company's Interest had been duly regarded by the Governor General and Mr. Barwell, they must have observed, that the excessive Loss of Grain upon which their Estimate was calculated, had been occasioned by the Want of proper Magazines, and by other Circumstances easy to be remedied or corrected, and therefore ought not to have been urged as Arguments for granting 30 $\frac{1}{2}$ Cent. instead of 20 $\frac{1}{2}$ Cent. Commission, in direct Opposition to a Report made at your own Request by the most respectable Merchants in Calcutta, who, doubtless, would have gladly taken the Contract upon the Terms of their own Propositions.

112. " As the Idea of taking the Opinions of Merchants originated with Mr. Francis, we find he resolved to abide by their Opinion.

113. " General Clavering has justly objected to the immense Profits of the Agent. He estimates the Amount of Provisions for the Fort at Three Lacks of Rupees, and of Course the Agency at Rupees 90,000.

114. " And besides the Commission to be paid by the Company, the General observes, that Merchants calculate upon a Profit being gained from 15 to 25 $\frac{1}{2}$ Cent. on Provisions brought from the Country to Calcutta ; he therefore concludes, that the Agent may secure an additional Profit of 20 $\frac{1}{2}$ Cent. on that Account, which, added to his Commission, renders the total Rupees 1,50,000 on the first Half Year's Delivery of Stores.

115. " The Mode of the Agent's Appointment was also objected to by General Clavering. The Person proposed by the Governor General was Mr. Belli, his private Secretary. The General reminds the Board of the Company's Order, that Contracts should be advertized ; had this Mode been pursued, the Governor General's Secretary could only have obtained the Agency on the lowest Terms. The Governor General objected to advertizing, lest the World should know what Provision was made for Defence of the Fort. This Reasoning the General reprobates, because, supposing it publicly known that Four Months Provisions were safe in the Fort, it would discourage an Enemy rather than invite them to attack the Place.

116. " In answer to the General's Observations, the Governor General has pledged himself, that, if required by the Court of Directors, the Profits arising from the Agency shall be paid into the Company's Treasury, and appropriated as the Court shall direct.

117. " On this View of Facts we deem it equitable, that the Amount paid or to be paid to Mr. Belli by the Company for Agency, be reduced to 20 $\frac{1}{2}$ Cent. which Sums, for the Reasons above-mentioned, must be considered as an ample Compensation for his Trouble, Risk, Loss, and all Expences whatever.

118. " It is therefore our positive Order, that, according to the Engagement of the Governor General, the Agent's Accounts be forthwith laid before your Board, and that the Commission paid or to be paid to Mr. Belli on those Accounts, be reduced to 20 $\frac{1}{2}$ Cent. and likewise that the said Commission be calculated upon the Prime Costs of Provisions furnished, and not upon the Bazar Price at Calcutta.

(Signed at the End of the Letter)

" R ^d Hall,	G. Wombwell,
W ^m Milles jun ^r ,	W ^m James,
J. Stables,	L. Sullivan,
Tho ^s Cheap,	Jn ^o Woodhouse,
W. Devaynes,	Jn ^o Michie,
W. G. Freeman,	Joseph Sparkes,
Rob ^t Gregory,	John Roberts,
John Smith,	H. Fletcher,
	Samuel Peach."

London,
the 28th Dec. 1778 (a).

Read, from Book 213, already delivered in, the following Extract of a Consultation of the 24th February 1780, beginning at Page 311 of the same Book.

[Fort William, 24th February 1780.

" At a Council; Present,
The Honble. Warren Hastings, Gov^r Gen^l, President;
Philip Francis, } Esquires.
Edward Wheler, }
Mr. Barwell indisposed.]

§ (" Read, the following Letter and Inclosure from Mr. Belli.

" Sir,
" Herewith I send you my Account of the Agency, shewing the Amount of the Payments
" made to me, both of the Stores delivered into Garrison, and for Commission on the Amount
" Purchase thereof, for the Purpose of changing the Stores, and making up the Wastage, Drriage,

Mr. Belli.

“ Leakage, &c. of them ; exhibiting also the Amount of the actual Cost of the Stores, together
 “ with the Losses and Expences incurred in the Execution of this Business to the present Time,
 “ and the Balance or apparent Profit arising therefrom. By this it will appear that the Balance
 “ or Profit, to the present Time, amounts to Current Rupees 1,52,290 8 6 ; but from this Sum
 “ must be deducted a Loss (which I have not struck off from the apparent Balance of Profit in
 “ the Account, as it can only be ascertained at present by Estimate) of about 50,000 Rupees
 “ for Losses, Charges of Merchandize, Cooly Hire, &c. which will be incurred by the Re-
 “ moval of several of the Stores now in Garrison, and replacing new in their Room, which fresh
 “ Lodgments I am preparing to make, and shall commence the Delivery of them the Instant that
 “ the new Granaries are completed ; which, when delivered, my actual Profits, in the Course of
 “ Three Years, will amount to no more than Current Rupees 1,02,000, a Sum so considerably
 “ short of that which the Honble. Court of Directors imagined I should make on a Commission
 “ of 20 $\frac{1}{2}$ Cent. only, that it scarcely deserves a Comment on my Ability to return any Part of
 “ the Profits I have received, or on the Possibility of my undertaking the Management of this
 “ Business for less than the Conditions to which I am bound. Yet for the further Satisfaction of
 “ the Board, I beg Leave to trouble you with the following Representations.

“ You will observe, Sir, that, in the actual Cost of the Stores, they were provided somewhat at
 “ a cheaper Rate than the Prices allowed me by the Company ; but it might have happened that I
 “ should have been under the Necessity of making these Purchases at a Rate considerably above
 “ the stated Prices to which I am confined to deliver at ; and, as a Proof of the Fluctuation of the
 “ Markets, Oil and Ghee are now 25 $\frac{1}{2}$ Cent. dearer than the Prices allowed me for those Articles.

“ I request also, Sir, that you will be pleased to remark to the Honble. Board, that had there
 “ happened a Scarcity of Grain I should have got little or nothing for my Labour ; that many of
 “ the Advantages which I have hitherto met are of a very precarious Nature, and that some of
 “ the Advantages have wholly ceased ; for Instance, the Advantage gained on the original Pur-
 “ chase of the Stores lodged, is a Source of Profit which ceases with every particular Lodgment
 “ made ; that the Advantages which I have hitherto met with, in the Disposal of the Salt Pro-
 “ visions on Hand, which I have annually, after changing those in Garrison, may not again
 “ happen, in which Case my Losses on them would be very heavy.

“ I am liable to many Losses, and my Risks are more than common ; for a Season of Plenty,
 “ when I must sell, or of Scarcity, when I make my new Purchases, may equally prove my Loss ;
 “ and, if an extraordinary Degree, my Ruin.

“ Under these Considerations it would have been Madness in me had I ventured to have con-
 “ tracted for the Execution of this Business, with the Knowledge I have of it, under the Rate at
 “ which I hold my present Commission, as I could not have held an Expectation of being bene-
 “ fited by it in case of Accidents. And here, Sir, I beg Leave to recapitulate a Passage in my
 “ former Letters on this Subject ; viz. “ That as the Profits of my Agency, which I have now
 “ held near Three Years, with a Commission of 30 $\frac{1}{2}$ Cent. have fallen so short of what the
 “ Honourable the Court of Directors imagined they would have been at 20 $\frac{1}{2}$ Cent. only, and
 “ have assented to my retaining my Commission at 20 $\frac{1}{2}$ Cent. it could never be their Intention,
 “ under such Circumstances, that I should either refund the Profits I have received, or those
 “ which I am to receive shall be diminished.

• See in Orig.

Dr

The Agent Victualer for the Garrison of Fort William, in Account with the Honble. Company.

Cr

To Cash received at different Times from the Honble. Company's Treasury, in Payment for the Stores delivered in the Garrison of Fort William, amounting to C. R. — 383,088 5 2

To Do. received from Do. on Account of Commission on the Amount * of the different Bills for victualing * Stores delivered into the Garrison of Fort William, for keeping the said Stores in good Condition, amounting to Current Rupees — 267,987 12 4

* See in Orig.

• See in Orig.

26 U

By victualing * Stores, for the Amount of the actual Cost of sundry Articles purchased and delivered into the Garrison of Fort William, amounting to C. R. — 353,977 14 4

Profit and Loss, the Difference of this Account, being the actual Losses sustained on changing, &c. the different Articles of Stores, during the Course of this Business, C. R. — 45,338 15 11

By contingent Charges for sundry Expenses attending the Execution of the Business, from the Commencement to the 31st January 1780, amounting to C. R. — 104,868 11 0

By apparent Profit to the present Time —

Current Rupees — 651,076 1 6

Current Rupees —

498,285 9 0
152,290 8 6
651,076 1 6

394,316 14 0

“ Fort William, the 31st January 1780.

Errors excepted.

(Signed) “ John Belli.”

“ Governor General.—The Court of Directors, adopting the Computation of the late Commander in Chief, have stated the Commission on the Agency as a clear and certain Profit of 30 per Cent per Annum, on the original Amount, according to the Table of Rates, added to a probable Gain of 20 per Cent. on the Amount on the First Purchase; and have made these the Grounds of their Order for reducing the Commission from 30 to 20 per Cent.
 “ The Effect of this Order applied to their professed Intentions and Explanation of it, and to the actual State of the Agency, will best appear from the following State of it.”

“ Agent for providing the Garrison Victualling Stores his Account of the Profit, according to the Orders of the Court of Directors.

To Cash received from the Honble. Company for the First Delivery of Stores	—	300,000	0	0	By Stores Prime Cost *	—	—	3,00,000	0	0	• Six in Orig.
To the Reduction of Commission ordered from 30 to 20 per Cent; that is to say, of 10 per Cent. per Annum, for 3 Years	—	90,000	0	0	+ By Profit on the above, estimated at 20 per Cent.	—	60,000	0	0		
Profit allowed to the Agent in the Course of 3 Years	—	3,90,000	0	0	By Commission 30 per Cent.	—	90,000	0	0		
		2,40,000	0	0	First Year's Profit, as stated by the Court of Directors in the 114th Paragraph of the General Letter of the 23d December 1779	—	—	1,50,000	0	0	
					By Commission on the 2 succeeding Years	—	—	180,000	0	0	
								6,30,000	0	0	

" Governor General. —— † There is a Perplexity and Inaccuracy in this Mode of Computation, as it states a much greater Profit than 20 per Cent. To render it correct, the prime cost ought to be stated at 2,50,000, and the Profit on this Sum, calculated at 20 per Cent. 50,000, making the Whole 3,00,000. But as the Court of Directors have followed the original Error, and formed their Conclusions upon it, it is clear that the Amount produced by this Computation, was the Profit which they proposed to allow to the Agent, after the Deduction of 10 per Cent. from his Commission, and I have therefore retained it.

" From this Account, it appears to have been the Intention of the Court of Directors, to allow the Agent a Profit of 2,40,000 Rupees to the present Time; but his actual Profits, unaffected by their late Order, are no more than 1,02,290 Rupees, which is less than their present Sum by Rupees 1,39,710; and if it be insisted, that the Letter of their Orders shall be fulfilled, in Opposition to the manifest and declared Spirit of them, his Profits will be reduced to the scanty Sum of 10,290 Rupees, or 3,400 Rupees a Year for his Risks, on a Capital of 3,53,977, which is less than One per Cent.

" I therefore offer it as my Opinion, and move, that this Subject be again referred, with these Explanations, to the Honourable the Court of Directors, with the Letter of the Agent recorded on this Day's Proceedings, and that they be made a Number in the Packet.

(Signed) " Warren Hastings."

" Agreed, That this Subject be again referred to the Honourable the Court of Directors; and that the foregoing Letter and Account, with the Governor General's Explanation thereof, be sent Numbers in the Packets, by the Swallow, for their Information."]

(Signed at the End of the Consultation)

" Warren Hastings,
P. Francis,
Edw^d Wheler."

Read, from Book 25, already delivered in, the following Extract of a Letter from the Governor General and Council at Fort William to the Court of Directors, dated Fort William, the 14th of January 1780.

65. " Previous to the Receipt of your Commands of the 23d December 1778, we had converted the Plan of Mr. Belli's Agency, for keeping up a constant Supply of victualling Stores in Fort William for the Use of a Siege, into a Contract, and entered into written Engagements with him to continue the same for Five Years: We nevertheless communicated to him your Orders for restricting the Commission upon his Purchases to 20 instead of 30 per Cent. and for preparing Accounts of his actual Disbursements to be laid before us. By his Answer he avers, that the full Advantages of his Office have fallen far short of the Computation made of what they would have amounted to at the Allowance of only 20 per Cent.; yet, as he has promised to deliver in his Accounts, which we expect will shortly come before us, we forbear to make any Remarks upon his Case, or to take further Measures with him for the present.

(Signed at the End of the Letter)

" Warren Hastings,
P. Francis,
Edw^d Wheler."

Read, from Book 430, already delivered in, the following Extract of a Consultation of the 17th August 1779, beginning at Page 289 of the same Book.

" Fort William, 17 August 1779.

(No Presents.)

" In Circulation.

Milr. Dept.
Depot of Pro-
visions for
Fort William.

" Extract * Proceedings of the Governor General and Council of the 9th of August 79, respecting the Depot of Provisions for Fort William, viz. * Sic in Orig.

" Sir Eyre Coote. —— I approve of the Depot of Provisions, and Regulations respecting its being kept up."

" Governor General. —— Having received frequent Remonstrances from the Agent of this Depot, concerning the heavy Losses and Inconveniences to which he is subjected by the present indefinite Term of his Agency, which obliges him to purchase the different Articles of the Stores at the current Prices of the Markets, and in such Quantities as are specified in the prescribed Lists, which, in Times of Scarcity, can neither be procured of equal Qualities as in Seasons of Plenty, nor without an Increase in the Price, sometimes even greatly exceeding the Rates prescribed in the Table formed by the Board. The Governor General recommends that the Agency be converted into a Contract, and be fixed for the Term of Five Years. The Governor General desires

* Sic in Orig. desires his Motion to be inserted in this Place; but, to prevent any Delay * passing the Resolutions required by the Subjects expressly submitted to the Board by the Commander in Chief in his Minute, he desires that the Opinion of the Board may be received upon it in Circulation.

+ Sic in Orig.
 † Sic in Orig.
 ‡ Sic in Orig.
 “ Sir Eyre Coote — I intirely concur in the Motion of the Governor General; as I am clear that a Contractor can act cheaper, and of course perform the Service better, by having his Contract for a Series of Years, than for One only, when his Profits must be immense†, even bear‡ high harms, and much more to secure him a Profit; and this is better known than I do||, by Members of this Board, to be the general Practice in Europe.

“ However, had I not these fundamental Principles to induce me to support the Governor General's Motion, I should still most heartily join in it, from the long Knowledge I have of the Merits of Mr. Belli, whose Abilities, Honour, and Integrity I know to be equal to any Charge that Government can confer upon him, and which I am confident he will execute with as much Advantage to his Employers as Credit to himself and those who place him in it.

“ Mr. Francis. — Every Objection urged against disposing of the Bullock Contract for Five Years, in the Manner proposed, in my Opinion lies with greater Force against this Proposition; both of them stand in direct Contradiction to the 36th Article of the Company's Instructions to this Board, in which it is ordered, that all Contracts, with the Conditions, be publicly advertised, and sealed Proposals received for the same, &c.

“ The Business of supplying the Fort with Stores has hitherto been performed by Agency, and this Mode was expressly chosen by the Governor General himself, because an Advertisement for a Contract for such Stores would be improper; it would be to tell the World what Provision was made for the Defence of the Garrison. See Consultation 4th November 1776.

“ The Governor General now represents, that he has received frequent Remonstrances from the Agent for this Depot, concerning the heavy Losses and Inconveniences to which he is subjected by the present indefinite Term of his Agency; and on this Ground recommends that it may be converted into a Contract, and be fixed for the Term of Five Years.

“ It is natural enough, that the Agent, after enjoying the most profitable Employment that I believe ever existed under this Government, since January 1777, without any public Complaint of those heavy Losses and Inconveniences against which he now remonstrates, should wish to have it secured to him for Five Years longer. It is also very natural, that, at the approaching Expiration of this Government, he should feel some Apprehensions for the Fate of his Agency under a new one, and that he should use his Interest with a Majority of the Board, if possible, to put it out of the Power of their Successors to reduce his immoderate Profits, or to make any new Arrangement for the public Service in this important Department. But when he affirms, that he has suffered heavy Losses and Inconveniences by the indefinite Term of his Agency, so extraordinary a Proposition ought to have been accompanied with something like a Proof; nothing less than it's being brought before us by the principal Member of the Board, could induce me to give it a serious Consideration.

“ In Opposition to it I shall state some Facts which I believe will set the Matter in a clear Light.

“ 1st. The Amount of the Provisions supplied by the Agent, since the Commencement of his Agency, is C^t R^s 3,70,252, prime Cost, as \mathcal{P} Account annexed. This Sum is advanced to him by Government as fast as his Supplies are purchased, consequently he has not been subject to any Distress or Difficulty to raise Money. He loses nothing on the Head of Interest, and if he is not very careless or unskilful in his Management, he ought to have been a considerable Gainer on the original Purchase of the several Articles, independant of the Profits he may make by the occasional Conversion of the Stores at favourable Opportunities.

“ He has the Favour and Protection of Government to support him in his Purchases, which in this Country is no small Advantage. He buys great Quantities at a Time, and at what Season he pleases, and is paid at the Average Rate fixt by the Bazar Price of small Quantities; that is, he buys in gross and in effect sells in retail; and lastly, he trades with a Stock purchased for him with the public Money.

“ 2d. To secure the Agent however against all possible Losses, to enable him to keep a constant Stock, and to reward him for his Trouble, it was originally agreed to take the Opinion of three of the most respectable Merchants in Calcutta, what might be a reasonable Commission on the Value of the Supplies to answer all the above Purposes; and Messrs Robison, Killican, and Croftes, who were consulted on this Occasion, reported that Twenty \mathcal{P} Cent. \mathcal{P} Annum would be a reasonable

* Commission.

“ It was resolved nevertheless by the Governor General and Mr. Barwell, against General Clavering's Opinion and mine, that 30 \mathcal{P} Cent. \mathcal{P} Annum should be allowed.

“ 3d. The Commission already drawn by the Agent, on a Supply of C^t R^s 3,70,252, amounts to C^t R^s 2,29,912, that is, since the 10th of March 1777. His annual Commission on the above Sum amounts to C^t R^s 1,11,075, yet he complains that he suffers heavy Losses and Inconveniences by the indefinite Term of his Agency.

“ Nothing more I imagine need be said to demonstrate the Unreasonableness and Inexpediency of any Measure tending to continue the Agency on its present Footing. But, independant of all other Objections, I object to the proposed Contract, as to an Act exceeding the Limits of our lawful Authority.

" If it be in the Power of a Majority of this Board, at the Moment of their own Dissolution, to bind their Successors by Engagements for any Term they think proper, and to enable them from correcting any existing Abuse, it will be in vain for the Company, or Parliament, to change the Administrations of the Company's Affairs in this Country, and to vest it in other Hands.

" That Question however, if I continue in the Government, shall be tried on Behalf of the Company, and if it be in my Power, the exorbitant Profits of this Agency, in whatever Shape it may be continued, shall be reduced. In the mean Time I protest against the Proposition, and will not sign the Contract."

" A State of the Amount of Stores lodged in the Garrison of Fort William by the Agent Victualler, with the Amount of Commission drawn thereon by him, for keeping up the Supplies in good Order and Condition.

			R.	A.	P.	R.	A.	P.
One Bill for sundry victualling Stores, dated								
10th March 1777, for	—	—	71,923	9	5			
One Ditto—11th April	—	—	45,549	2	6			
One Ditto—4th May	—	—	32,758	12	3			
						1,50,231	8	2
Commission on Do. 30 $\frac{7}{10}$ Cent.	—	—				45,069	7	0
							1,95,300	15 2
One Do.—27th June 1777	—	—	27,329	4	9			
Commission on Do. 30 Do.	—	—	8,198	12	7			
							35,528	1 4
One Do.—4th October 1777	—	—	27,936	0	8			
Commission on Do. 30 Do.	—	—	8,380	12	10			
							36,316	13 6
One Do.—30th November 1777	—	—	40,393	1	3			
Commission on Do. 30 Do.	—	—	12,117	14	9			
							52,511	0 0
One Do.—30th April 1778	—	—	31,574	13	9			
Commission on Do. 30 Do.	—	—	9,472	7	3			
							41,047	5 0
One Do.—4th November 1778	—	—	27,243	10	9			
Commission on Do. 30 Do.	—	—	8,173	1	1			
							35,416	11 10
One Do.—21st January 1779	—	—	33,378	1	2			
Commission on Do. 30 Do.	—	—	10,013	6	10			
							43,391	8 0
One Do.—7th April 1779	—	—	32,166	4	5			
Commission on Do. 30 Do.	—	—	9,649	14	1			
							41,816	2 6

Commission charged as follows on the undermentioned Sums, stated above for preserving in good Condition the Articles which compose their Amount.

On 150328 8 2	from 30th April 1778 to the 1st May 1779,	45,069	7	0
27329 4 9	from the 27th June 1778 to 27th June 1779,	8,198	12	7
27936 8 0	from the 4th Octr 1778 to the 4th Octr 1779,	8,380	12	10
40393 1 3	from 30th Novr 1778 to the 30th Novr 1779,	12,117	14	9
150231 8 2	from the 30th April 1779 to the 1st May 1780,	45,069	7	0
				<u>1,18,836 6 2</u>
		Current Rupees	6,00,164	15 6

" N. B. The above Account states the Amount of Stores supplied, and Commission drawn thereon, as by the Bills and Accounts current of the Agent, and by such Payments from the Treasury as appear to be specifically stated. This Explanation has been thought necessary, as some of the Payments entered in the Treasury Account refer only to an Order of Council, none of the Particulars of which are mentioned, by which Means the Correspondence between the Sums so charged to have been paid by the Agent Victualler, and the Particulars entered in his Accounts, does not in each Instance appear, wherefore it became necessary to rely chiefly on the Correctness of the latter in stating the foregoing Account.

Fort William, Accompt Genl^r
Office, 14th August 1779.

Errors excepted.
(Signed)

" Ja^r Miller, Acting
Accompt Genl^r."

" Mr. Barwell.—I have read with Attention the Dissent and Protest of Mr. Francis to the Measure for continuing the Supply of victualling Stores with Mr. Belli, the present Agent who furnishes these Stores.—The Principle on which this Dissent is grounded might require Examination, if the Warmth with which it is made, and the Intimation given in the concluding Words of it, would allow any One who reads it to doubt the Influence under which it is written,

" That Species of Despotism which is established and maintained by the Operations of an unremitted Dependence on the Will of Rulers, is, of all others, most pernicious to a Community, because every Member of a Community so circumstanced must, when it systematically prevails, either preserve his Station by servile Compliances, or risk it by adventuring to act on Principles of Freedom.—In short, unremitted Dependence for pecuniary Benefits is a constant Bribe given to every Individual by the Rulers of every State, who annex it as a Condition to the Benefit they confer. I cannot, therefore, acquiesce in the Reasoning I have heard advanced by the Members in Opposition, nor subscribe to their Opinion, which would make the present Agent, who furnishes and keeps up the Depot of Provisions for the Garrison of Fort William, hold his Office during Pleasure.

" The Objections which are made to the Commission of 15 per Cent. for furnishing the Stores, and to the 15 per Cent. allowed to indemnify the Agent for replacing the decayed and damaged Stores, and renewing the whole Depot every Year, are indeed ingeniously stated, and the Inventive Powers appear tasked to the utmost to make this Commission and this Allowance, amounting in the Whole to 30 per Cent. strike the superficial Reader as an exorbitant Premium; but I will adventure to affirm, on my own Knowledge of the perishable Nature of the Stores supplied and kept up, that it is not possible for the Agent to derive much, if any Benefit, if he does not suffer a Loss, which I really think he must from this Part of his Engagement.—Where is the Garrison in which a Depot of Provisions is kept up at public Charge that does not condemn more than 15 per Cent. of such Stores in the Course of One Year, over and above the heavy Loss arising to the Public by the yearly Renovation of the Depot. I believe the Depot of the Garrison of Gibraltar is not, nor can be maintained by the English Government at so small an Expence, while the Supplies are contracted for, and the Loss of condemned Stores borne by the Nation, as well as of those which, though not condemned, are sold off at the End of every Year, as being of a perishable Nature, and though fit for immediate Use, are not in a State of Preservation, or capable of it, for the Course of another Season.—And if this is the Case, and it certainly is the Case, 15 per Cent. for the Renovation of the Depot of Provision for Fort William, and the Loss arising from condemned Stores, is a very moderate Premium; much more moderate I affirm than the Expence would be to our Government, was a Contract entered into for an annual Supply, and the old Stores in Preservation, and those condemned sold at the End of every Year for Government.—Why it should be advanced as an Argument against the Mode proposed for keeping up a Depot in high and perfect Preservation, that the Agent may possibly do it without Loss to himself, I cannot comprehend, unless it means to affirm by Implication, that Government can keep up such a Depot with equal Facility, and without Loss, or little Loss: If this is the Position laboured to be established, I deny it; and the Experience of every Man must contradict it. In what Office of our Government are Stores of a perishable Nature kept up without Loss, and a heavy Loss to the Government. I am sure that * in no Office that has ever fallen under my Observation, and I call upon the other Members for Information if any Office has under theirs.

* Sic in Orig.

" In all the Offices of Supply under our Government, Advances are made on the Application of our Officers, and a Commission of 15 per Cent. allowed on the Rates fixed by Government on the Articles to be supplied. On many Articles this Commission is reduced to nothing, as their real Price * far exceed the Rates, while on others it is enhanced † by being below the Rates. I dare affirm, the Agent for keeping up the Depot of Provisions for Fort William would esteem himself very happy to draw the Commission clear for his Supplies, and disengage himself from the further Allowance of 15 per Cent. with the Condition annexed to it of renewing and keeping up the Depot; but as I am convinced it is not for the Interest of Government to remit this Condition, and contract at 15 per Cent. simply for an annual Supply, I can never acquiesce to make his Office a mere Office, a mere Office * of Supply, and subject the Company to the burthenome Loss of renewing yearly such perishable Stores.—The perplex and intricate Manner in which the Account annexed to Mr. Francis's Minute is drawn, obliges me to oppose to it a more simple and comprehensive one, shewing the Period, the Amount of the Supplies, and the Commission from the 1st May 1777, to the 1st May 1779, in which Period the First Purchase of 1,50,231 8 2 must have been renewed twice at the Expence of the Agent, and the subsequent ones to the 30th April 1778, once.

* Sic in Orig.

† Sic in Orig.

* Sic in Orig.

" I will not propose that the Commission drawn of 15 per Cent. in the Course of the same Period, in any other Office, should stand opposed.—I am convinced none of the other Offices of Supply are so low, or in which the Services of the Agent have a meaner Reward.

" I agree to the Proposition of keeping up a Depot of Provision for the Garrison of Fort William, on the Terms of the existing Agency, on a Contract for Five Years.

" A State

" A State of the Amount of Stores lodged in the Garrison of Fort William by the Agent Vic-tualler, specifying the Dates of such Lodgments, and shewing the Amount of Commission which would accrue thereon, at 30 per Cent. per Annum, or 2½ per Cent. per Menssem, from their respective Dates to the 1st May 1779.

B I L L S.				Date of Bill.	Amount Principal.	Ys. Ms. D.	Amount Commission.
Three Bills	—	—	—	1st May 1777.	1,50,231 3 2	2 0 0	90,138 14 0
One do.	—	—	—	27th June do.	27,329 4 9	1 10 3	15,099 6 10
One do.	—	—	—	4th Oct. do.	27,936 0 8	1 6 26	13,176 7 9
One do.	—	—	—	30th Nov. do.	40,393 1 3	1 5 0	17,167 0 11
One do.	—	—	—	30th April 1778.	31,574 13 9	1 0 0	9,472 7 3
One do.	—	—	—	4th Nov. do.	27,243 10 9	0 5 26	3,995 11 6
One do.	—	—	—	21st Jan. 1779.	33,378 1 2	0 3 9	2,753 11 0
One do.	—	—	—	7th April do.	32,166 4 5	0 0 23	616 8 4
				Current Rupees	3,70,252 12 11	C. R.	1,52,420 3 7

" Fort William,
Accountant Gen^l Office,
the 19th August 1779.

Errors excepted.

(Signed) " Ja^s Miller,
Acting Account^t General."

" As I have upon a very recent Occasion assigned my Reasons for preferring annual Contracts to Engagements of a longer Period; and as I have likewise endeavoured to prove, that no other can be entered into without subjecting, on the one Hand, the Contractor to an unreasonable Degree of Risk, or the Company, on the other, to an improvident Bargain, it remains only for me to add, that, in my Opinion, if Pains were taken to select from among the Variety of Contracts that already have, or probably very soon will become the Subject of public Discussion, it might prove difficult to take from the Mass one, where the Fitness of an annual Contract in Preference to a longer Period was more striking, and where the Arguments in favor of a contrary Opinion can with less Effect or Reason be applied.

Mr. Wheeler,
17th August
1779.

" The Advantage and Utility of annual Contracts are so well known in England, that I do not recollect a single Instance among the Company's Engagements, whether for Military or Naval Stores, for Provisions, or for any Article either for Export or Home Consumption, where the Contracts or Engagements have not expired with the Year; and although I am called upon by the Commander in Chief to evince the contrary Practice, I must here declare, that those which I had the Honor to be engaged in with Government, were for no longer a Period. I may likewise further add, that the Public received no small Advantage from the short Duration of those Contracts, yet sufficient Encouragement was given to the Contractors.

" If then the fundamental Principles of Contracts are, as I have stated them, in favour of annual ones; or if this Precaution is necessary, and generally adopted in a Country where the Value of each Article can be ascertained with so much Facility and Ease, and where either a Rise or Fall of the Markets rarely exceeds 5 per Cent. how much more expedient must a similar Regulation prove in Bengal when there is frequently a Fluctuation of 30 per Cent.

" To prove the Utility of entering into Engagements for so long a Period as Five Years, it is necessary in my Opinion to state very different Arguments from those made use of in the Governor General's Minute; viz^t. It ought to be clearly ascertained, that the Articles to be contracted for are subject to little or no Fluctuation, and that they will certainly be procured at or about the same Price which regulates the Markets at the Commencement of the Contract; without some such Rule, the Contracting Parties will become equally exposed to the ill Consequences of long Engagements, which shorter ones are better calculated to relieve, if not entirely exempt them from.

" In addition to the above Arguments it may be necessary to observe, that a Depot of Provisions in Fort William can only be required in the Case of a War or the Apprehension of a War, and that many Circumstances may happen which might render it quite unnecessary, and leave the Contract, if extended to the Time proposed, an useless Burden and Expence on the Company.

" For these Reasons I am against entering into any Contract for a Term exceeding One Year.

" Sir Eyre Coote.—Seen.

(No Signature at the End of the Consultation.)

Read,

Read, from Book 55, already delivered in, the following Extract of a Consultation, of the 4th October 1779, beginning at Page 638 of the same Book.

[“ Fort William, 4th October 1779.

“ At a Council; Present,
The Honourable Warren Hastings, Governor General, President;
Richard Barwell, } Esquires.
Edward Wheler, }
Mr. Francis at Houghly.

Sir Eyre Coote gone to visit the different Stations of the Army.

“ The Governor General having sent in the following Minute respecting the Contract entered into with Mr. Belli, it was circulated for the Perusal of the other Members of the Board.

Governor
General's
Minute of
Mr. Belli's
Contract.

“ The Governor General desires the following Minute may be recorded on the Proceedings, in Reply to Mr. Francis's of the 17th of August.

“ Governor General.—Mr. Barwell has already so fully answered every Objection urged by Mr. Francis against the Propriety of continuing to Mr. Belli the Agency for supplying the Garrison of Fort William with Provisions for Five Years, that any further Remarks from me appear to be unnecessary. But when I consider Mr. Belli's Situation in my Family, and the Acrimony of Style displayed in Mr. Francis's Protest, as well as the several Insinuations contained in it, I cannot help deeming the violent Opposition he has made to my Motion as Personal; and viewing it in this Light, I shall trouble the Board with a few Remarks upon the Subject, after having thankfully acknowledged how much I think myself obliged to Mr. Barwell, whatever were his Motives, both for the Readiness and Ability with which he has refuted the Arguments offered by Mr. Francis against this Measure.

“ Mr. Francis begins by observing, that this Contract is in direct Opposition to the Company's Orders, and that the Business has hitherto been performed by Agency, &c.

“ To furnish a Depot of Provisions for the Garrison of Fort William is not a Business for Proclamation, nor to be disposed of to the lowest Bidder, for the Reasons which I before used, and which Mr. Francis, I know not why, has quoted against it.

“ An Agency, with a fixed Rate and a fixed Commission, is, to all Intents and Purposes, a Contract. All that I have now proposed, is to fix the Term, and to bind the Contractor by Penalties.

“ I can by no Means agree with Mr. Francis, ‘ that the Agent Victualler enjoys the most profitable Employment that ever existed in this Government.’

“ Mr. Livius has an Agency, with 15 per Cent. Commission on Articles rated by former Charges of Commissaries, of course greatly above the real Cost. Mr. Livius is professedly patronized by Mr. Francis, who passes his Bills; Nine or Ten Lacks thus paid to him are yet unaccounted for.

“ In answer to Mr. Francis's Insinuation, that it is natural enough for the Agent to wish to secure himself before the Expiration of the present Government; I avow the Fact as to myself as well as the Agent.

“ When I see a systematic Opposition to every Measure proposed by me for the Service of the Public, by which an Individual may eventually benefit, I cannot hesitate a Moment to declare it to be my firm Belief, that should the Government of this Country be placed in the Hands of the present Minority, they would seek the Ruin of every Man connected with me; it is therefore only an Act of common Justice in me to wish to secure them as far as I legally can from the Apprehension of future Oppression.”]

§ (“ Mr. Francis has grossly mis-stated my Minute, when he says, I affirm the Contractor has sustained heavy Losses by the indefinite Term of his Agency. I am sorry to add this to the many Instances upon Record, during the Course of our Debates, of the Inaccuracy of Mr. Francis's Quotations, and his subsequent Reasonings in consequence.

“ I said he was subjected to many heavy Losses, and some he has actually sustained in the Purchase of Articles at 20 $\frac{1}{2}$ Cent. above the Table of Rates. On the capital Article of Grain, he has indeed been a Gainer, his Purchases having been luckily made at a Time of Plenty, and his Sales with the public Apprehension of a Scarcity. His Success in this Instance has alarmed him for the future, and with Reason.

“ Suppose the Reverse had happened with his indefinite Agency, which may expire To-morrow, he can only venture to purchase what is immediately wanted, and that he is obliged to provide. He cannot venture to invest a large Capital in distant Commissions. Of course his Purchases, by being made at hand, are from the dearest as well as the nearest Markets. He may buy his Rice at 20 Seers for the Rupee, he may be under the Necessity of selling it at 40, and this one Article proves his Ruin.

“ With what Propriety can the Profits of this Agency be styled immoderate?

“ The Rates were fixed by accurate and actual Rates of the Market, and the Agent was allowed the customary Commission of 15 $\frac{1}{2}$ Cent. on the Purchases. He was obliged to change the

“ Stores,

" Stores, and allowed for Damages (which in many would be the Loss of the Whole, and in all of something) 15 $\frac{3}{4}$ Cent. on the prime Cost so sold. This Mr. Francis calls 30 $\frac{3}{4}$ Cent. and rates it as a clear Profit.

" Besides this Drawback the Agent, as will appear from an Inspection of his Books, if called for, has frequently been obliged to purchase Stores at a Price far exceeding the Allowances made to him by the Company.

" In the Purchase of Ghee he has lost	20 $\frac{3}{4}$ Cent.
" Moong	25 Do.
" Turmeric	17 $\frac{1}{2}$ Do.
" Oil	52 Do.
" Salt Beef	33 Do.

" He is likewise liable to Losses in the Transportation of Goods to Calcutta, and by an Adventure from Purnea last Season sustained a Loss of 10,000 Rupees.

" Mr. Francis, stating the Sum of C^t R^s 2,29,912 as clear Gain to the Agent, makes no Deductions for the Losses I have specified, nor has he considered the Decay, Wastage, Servants Wages, Cooley Hire, and other unavoidable Expences attending the Agency for near three Years : But, in order to swell this Sum as much as possible, he has included in it about 70,000 Rupees as received by the Agent, though the Risk for which it was paid to him will not expire till May 1780.

" Mr. Francis once thought differently of my Plan. The Words of his Minute, delivered on the 4th of November 1776, when it was first read at the Board, were, ' If the Service be necessary in any Degree, it is a Service of the first Necessity, and should not be stinted for the sake of any inconsiderable Saving which, in the Event, perhaps might only be apparent.'

" I am firmly of Opinion, and am happy to be confirmed in it by the Sentiments of the Commander in Chief, that the Service must continue of the first Necessity while we continue in Possession of Fort William. I also most heartily concur with the Commander in Chief in Opinion, that the Board could not confer a Contract of this Importance on a Gentleman of more Honour and Integrity than Mr. Belli, or who would more conscientiously discharge the Duties of it.

" In Reply to Mr. Francis's Observations, that Mr. Belli enjoys the Favour and Protection of Government, I do most solemnly declare, that he has never applied to me for the most trifling Interference or Support in his Agency.

" I have one Remark to make on the Subject of this Agency, since Mr. Francis has thought proper to make so pointed an Attack upon it. He must remember how strenuously it was opposed by the late General Clavering in its several Stages. His Protests and Remarks were transmitted to the Court of Directors, and were received at a Time when our Proceedings were rigidly scrutinized, and when every Measure proposed by me, which could be deemed in the smallest Degree objectionable, underwent the severest Comment. My Plan for supplying Fort William with Provisions passed without a Remark, and this is to me a convincing Proof that the Directors esteemed it to be highly beneficial to the Company." (a)

(Signed) " Warren Hastings.
(and at the End of the Consultation)
" Warren Hastings,
Rich^d Barwell,
P. Francis,
Edw^d Wheler."

The Managers for the Commons informed the House, they should next produce certain Extracts which had been accidentally overlooked in the Course of the Proceedings, and then close the Evidence on this Article, with the Accounts of the Losses before alluded to.

That they should first therefore prove, that Mr. Sullivan was Assistant to Mr. Hastings, and Judge Advocate at the same Time, which they had been prevented from establishing in the proper Place, by the Books not being at hand at the Moment.

Read, from Book 28, already delivered in, the following Extract of a Consultation of the 30th October 1780.

" Fort William, the 30th October 1780.

" At a Council ; Present,
• The Honourable Warren Hastings, Governor General, President ;
Philip Francis, } Esquires.
Edward Wheler, }
Lieutenant General Sir Fyre Coote absent on Service;

" The Governor General requests the Permission of the Board to employ Mr. Stephen Sullivan as his Assistant, and intreats that they will be pleased to indulge him with their joint Application

(a) Vide Appendix, N^o CCVII.

to the President and Council at Fort St. George, for their Permission to Mr. Sullivan to remain here for that Purpose. The Governor General represents that the Labours of his Department have at all Times required, and do at this Time especially require, greater Aids than he has been afforded or could command; that he has experienced the Abilities of Mr. Sullivan, and has made Choice of him as completely qualified for such a Trust. If the Board shall comply with this Request, he begs Leave further to solicit their Grant to Mr. Sullivan of the Office of Judge Advocate General, vacant by Mr. Johnson's Resignation.

" Agreed, That Mr. Stephen Sullivan be appointed Assistant to the Honble. the Governor General, and to succeed to the Office of Judge Advocate General, vacant by Mr. Johnson's Resignation of it.

(Signed at the End of the Consultation)

" Warren Hastings,
Edw^d Wheler."

The Managers for the Commons stated, they should next produce the Account current between the Supercargoes at Canton, and the Presidency at Bengal, which also had been omitted to be read on a former Day, not being immediately at hand.

Read, from Book 447, already delivered in, the following Extract of a Consultation of the 28th July 1783, beginning at Page 293 of the same Book.

" Fort William, 28th July 1783.

Pub. Dep't.
Friday.

" At a Council; Present,
The Honourable Warren Hastings, Governor General, President;
Edward Wheler, } Esquires.
John Stables, }
Mr. Macpherson indisposed.

" Read the following Letter from the Supercargoes at Canton.

Canton,
30th Dec.

" Gentlemen,

" We have already done ourselves the Honour of addressing you under Date the 26th November in Triplicate, this Season, and forward the Dispatches by Conveyances. We now beg leave to inform you, that the Nonfuch delivered her Cargo the 23d instant, and was accordingly discharged.

" Two Chests of Opium were deficient, also one damaged, which were wrote off the Bill of Lading.

" Enclosed we transmit you an Account Current with your Presidency, also a Duplicate of our Letter dated the 12th December.

" We have the Honour to be, Gentlemen, &c.
(Signed)

" Canton,
Dec^r 30th 1783.

" James Bradshaw,
Geo. Rogers,
Abr^m Roebuck,
Henry Browne,
John Harrison,
George Cuming,
Charles Edw^d Pigou,
Henry Lane,
Tho^s Freeman,
Tho^s Kuyck Van Midrop."

" Ordered, That the Enclosure in the above Letter be entered after the Consultation.

(Signed at the End of the Consultation)

" Warren Hastings,
Edw^d Wheler,
John Macpherson,
John Stables."

Read, from the same Book, the Appendix to the same Consultation, beginning at Page 308, of the same.

“ Appendix to Consultation, 28th July 1783.

Appendix to Consultation, 28th July 1783.

“ The Presidency of Bengal in Account Current with Canton.

	Tales.		Tales.
To Bills of Exchange drawn in Favour of Col. Watfon,		By Opium ꝑ Nonfuch 1601 Chefts, at 210 H ^{us} dis ꝑ Cheft	237324,705
S ^d Dollars	—	By Cafh received of Captain Robert Geddes on Account of the	42912,000
To Bills of Exchange drawn in Favour of C. Thornhill,	30134,160	Betty's Cargo	—
S ^d Dollars	—		
To an Error in the above Bills	24658,920		
	9,037		
To Charges of the Nonfuch.			
Demorage	—		
Pilotage	—		
Factory Expences	—		
Linguifts Charges	—		
Meafurage	—		
	9028,800		
	159,840		
	2,000,000		
	75,000		
	2932,498		
To Bills drawn on Account of Certificates granted at Bengal	14196,138		
To Amount of Three Chefts of damaged Opium	160518,730		
To Balance	444,705		
	50275,015		
	280236,705		

(1450)

280236,705

“ Canton, 28th December 1782.

Errors excepted.

“ James Bradshaw,
Geo. Rogers,
Abr^m Roebuck,
Henry Browne,
John Harrifon,
Geo. Cumings,
Cha^s Edw^d Pigou,
Henry Lane,
Thomas Freeman,
Thomas Kuyck Van Microp.”

The Managers for the Commons informed the House, they should now close the Evidence on this Article, by again calling Mr. Wright, the Accountant General to the India Company, to give in Evidence the Totals of the respective Losses to the Company, upon the several Articles of the Accounts, as they appear on the Books of the Company, under the different Subjects included in this Article of Charge.

The Counsel for the Defendant objected, that the Amount of these Losses could not be taken from the Inferences of the Accountant General, but must be proved to the House by producing the Books themselves, containing the respective Accounts.

The House informed the Managers for the Commons, that the Books themselves, being the best Evidence, must be produced, if required by the Counsel for the Defendant.

Then the House adjourned to the Chamber of Parliament.

Die Luna, 30^o Maij 1791.

THE Lords being in their Places, the House resumed, the usual Proclamations made, and the Defendant appearing at the Bar, the Lord Speaker informed the Managers for the Commons, they might proceed to make good their Charge.

The Managers for the Commons informed the House, they should proceed to adduce Evidence of the Losses sustained by the Company in Consequence of the several Matters of Accusation contained in this Article, wherever the same did not sufficiently appear from the Evidence already before the House: And first, with respect to the Smuggling Expedition to China, they should produce the Invoices of the Ships that carried the Opium on that Occasion: For which Purpose they desired Mr. Wright might be again called in.

Mr. WRIGHT was accordingly called in, and examined as follows:

Q. Turn to the Invoice of Opium shipped on Board the Betsey and Nonfuch?

The Witness delivered in a Book, intituled, "Fort William Invoice Book, 1781-2."

Read, the following Extract from the same.

"Invoice of Fourteen Hundred and Sixty-six Chests of Patna Opium, laden by Cudbert Thornhill, for the Honble. Warren Hastings, Esq. Governor General, &c. Council of Fort William, on board the Ship Betsey, Robert Geddes Commander, bound to the Eastward and China, and goes consigned to the said Robert Geddes, being on Account and Risque of the Honble. United Company of Merchants of England trading to the East Indies.—Marked as $\frac{1}{2}$ Margin.



Patna Opium.									
1466 Chests	—	at A. R. 400 $\frac{1}{2}$ Cent.	—	A. R.	5,86,400	0	0		
				Batta 8 $\frac{1}{2}$ Cent.	46,912	0	0		
								6,33,312	0 0
Charges Merchandize.									
Gunnies and Twine	—				412	5	0		
Boat Hire	—				64	15	0		
Cooley Hire for shipping the Opium	—				172	12	0		
Mending broken Chests	—				109	5	0		
Matts for Dunnage	—				4	10	0		
Peon's Diet	—				4	10	0		
								768	9 6
Freight of 1466 Chests, at 50 Sicca Rupees									
$\frac{1}{2}$ Chest	—			S. R.	73,300	0	0		
				Batta 16 $\frac{1}{2}$ Cent.	11,728	0	0		
								85,028	0 0
								85,796	9 6
								7,19,108	9 6
								Current Rupees	—

"Fort William,
Accountant General's Office,
the 30th October 1781.

Errors excepted.

(Signed) "W^m Larkins,
Accountant General."

“ Read, also, a further Extract from the same Book, as follows :

“ (Corrected.)

No. 82.



“ Invoice of Sixteen Hundred and One Chests of Patna Opium, laden by the Honble. Warren Hastings Esq. Governor General, &c. Council of Fort William, on board the Ship Nonfuch, William Richardson Commander, bound to Canton, and goes consigned to Thomas Fitzhugh Esq. &c. Supercargoes there, being on Account and Risque of the Honble. United Company of Merchants of England trading to the East Indies.—Marked as $\frac{1}{2}$ Margin.

Patna Opium.

		A ^s G ^d	
1601 Chests	—	at C. R ^s 449 6 4 $\frac{1}{2}$ Chest	— 7,19,469 6 2
Charges Merchandize.			
Cooley Hire for sending 1301 Chests	—	—	162 10 0
Shipping 1601 do.	—	—	200 2 0
Bhur for Lading 1236 do.	—	—	618 0 0
Sloop Hire to the Barra Bulla 365 do.	—	—	730 0 0
Boat Hire to the Sloop	—	—	45 10 0
Durma Maulls and Peons Diet	—	—	11 11 0
Repairing Chests and packing	—	—	975 12 0
Godown Rent	—	—	200 0 0
		S ^s R ^s	2,943 13 0
		Batta 16 $\frac{1}{2}$ Cent.	471 0 2
			3,414 13 2
Freight on 1601 Chests, at 50 S ^s R ^s $\frac{1}{2}$ Chest	—	—	80,050 0 0
Amount allowed to the Captain and Officers of the Nonfuch in Lieu of Privilege	—	—	8,000 0 0
			88,050 0 0
		Batta 16 $\frac{1}{2}$ Cent.	14,088 0 0
			1,02,138 0 0
			1,05,552 13 2
		Current Rupees	8,25,022 3 4

“ Fort William,
Accountant General's Office,
the 19th January 1782.

Errors excepted.
(Signed)

“ W^m Larkins,
Accountant General.”

Q. (*Cross-examined.*) The Loss on the Betsey was occasioned by the Capture of the Betsey; was it not?

The Managers for the Commons objected to the Question.

Q. If that Opium had arrived regularly at the Place of Destination, what would have been the Profit upon the Sale of that Cargo, reckoning it according to the Price at which the Part of it was sold?

The Managers for the Commons objected to the Question.

Q. What was the Gain upon that which was sold?

A. I am not prepared to state that. I only know what it produced in China.

Q. What was the original Price, and the Produce upon the Sale?

A. The Price of the Whole of the Opium sent to China, amounts to 90,169 l.

Q. What Part of that came to China, and at what Price was that which came there sold?

A. That which was sold from the Betsey amounted to 59,600 Dollars, or 14,795 l.

Q. What Proportion was that of the Whole?

A. There were only 300 Chests sold out of 1466.

Q. What

Q. What are the Charges of Freight upon these Adventures?

A. The Whole of the Charges upon the Two Adventures, including the Interest upon Certificates returned to Bengal, the Charges of Freight, the Privilege allowed the Captain, &c. amounted to 25,265 l. upon both Ships; that, added to the prime Cost I before stated, will be about 115,000 l.

Q. (*by Managers.*) What did the Bullocks under the Contract of 1779 cost, from the Commencement of that Contract on the 1st of September 1779 to the 30th of April 1783, in Pounds Sterling, when they were kept up at 6,700?

A. 299,222 l.

Q. From the 1st of May 1783 to the 1st of May 1784, what did the Bullocks upon the same Contract cost?

A. 4,074 Bullocks, for the Time mentioned, cost 41,351 l.

Q. What is the Total?

A. In all 340,573 l.

Q. What would 4,074 Bullocks, at the Rates of the Contract in 1777, have cost for all that Period?

A. The Cost of 4,074, at the Rates of the Year 1777, would amount to 97,270 l. The Calculation is made upon the Numbers stated in the Board of Inspection's Proceedings on the 2d September 1779.

Q. In what Proportion do you divide those within and those without the Provinces;—Are they taken Half within and Half without?

A. This Calculation is made upon the Supposition that 2131 Bullocks are beyond the Provinces, and 1,943 within the Provinces.

Q. (*by Counsel.*) From what Periods?

A. For the Whole of the Periods.

Q. (*by Managers.*) What is the Difference?

A. 243,000 l.

Q. What was the Difference between the Sum paid to Mr. Ferguson, and the Sum paid to the Company Two Years after?

A. The Sum charged to the Agent in 1786-7 for 1,871 Bullocks, was 17 Rupees a Bullock; calculating the Price of 4,074 at that Rate, they would produce 8,034 l. in Two Years.

Q. (*Cross-examined.*) Whether, in the Account you have given in of the Expences of the Bullock Contract, you have included those Sums which were paid by Government for the pressing of Bullocks occasionally for public Service, and which Sums were paid by Government in the Shape of Remission of Rents, and otherwise, to the Ryots whose Bullocks were so pressed for the Service?

A. The Calculations I have made are merely the Contract Rates, and include nothing else.

Q. (*By Managers.*) Do you know of any such Charges in the Accounts?

A. I do not recollect any such Charges.

Q. (*by Counsel.*) Whether, during the Period of Mr. Crofts Contract, most of the Bullocks supplied by that Gentleman under his Contract were not employed out of the Provinces?

A. I cannot answer that Question as to Number.

Q. Do you not know that, at this Moment, an Army of 18,000 Men have necessarily the Number of 23,000 Bullocks in the Carnatic?

A. I don't know the Number.—In the Information submitted to the House of Commons some Time back, I think that was the Number.

Q. You make the gross Sum the Sum of 97,000 l.

A. At the Contract Rates in 1777.

Q. How much per Bullock do you charge at?

A. Those without the Provinces, Draft Bullocks, are charged Five Sonaut Rupees per Month each.

Q. How many do you charge without the Provinces?

A. 1,442.

Q. How many within the Provinces; and at what Rate?

A. Within the Provinces, Draft Bullocks are charged at 3 Rupees 7 Annas per Month each.

Q. How many?

A. 1,307.

Q. Any at 3 Rupees 10 Annas?

A. Carriage Bullocks without the Provinces are charged at 3 Rupees 10 Annas per Month.

Q. How

- Q. How many ?
A. 689 : Within the Provinces, 636 Carriage Bullocks, at 3 Rupees 3 Annas.
- Q. Those are the Data upon which you have made your Calculation ?
A. They are.
- Q. (*By Managers.*) What was the Amount of the Commission actually paid to Mr. Auriol ?
A. Total Commission, from the Year 1780 to the Year 1783, amounted to 4,25,720 Current Rupees, or 42,572 l. Sterling.
- Q. What was the Amount of Purchases made by Mr. Auriol in that Period ?
A. I have not collected it yet.—I have an Account of the Commission on the Purchases.
- Q. What is that ?
A. It is 2,45,253 Rupees, or 24,525 l.
- Q. Is that Commission upon the Purchases calculated at 15 per Cent. ?
A. Yes.
- Q. (*Cross-examined.*) These Supplies of Madras, were principally Supplies of Grain and other Necessaries in the Time of Scarcity ?
A. They were Supplies to all the Presidencies.
- Q. Prior to this Time the Carnatic had supplied them with Grain, and there had been no Occasion for Supplies from Bengal ?
A. I cannot tell that.
- Q. Can you tell what were the total Quantities of Rice ?
A. I have not made out the Accounts.
- Q. Can you form any Estimate of the Quantity of Rice sent from Bengal to Madras ?
A. The Quantity of Rice and other Grain, furnished to Madras during the Agency, appears, as far as the Accounts can be collected, to have amounted to 980,000 Maunds.
- Q. How much is a Maund ?
A. Two Thirds of an Hundred Weight.
- Q. (*By Managers.*) What Commission was paid to Mr. Belli, as Agent Victualler, during the Time of his Agency and Contract — the total Amount ?
A. The total Amount is 10,32,981 Current Rupees, or 103,298 l. Sterling.
- Q. That is calculated at 30 per Cent. ?
A. Yes—At 30 per Cent.
- Q. (*by a Lord.*) Do you know what the Number of Bullocks were, that were pressed in any One Year ?
A. I do not.

The Witness was directed to withdraw.

The Managers for the Commons informed the House, they should now close their Evidence on this Article with again reading an Extract of a Letter from the Vizier to Mr. Purling, dated the 19th November 1779, already in Evidence before the House, on a former Article.

Read, the following Extract from Page 496 of the printed Minutes.

“ Extract of Translation of a Letter from the Vizier to the Resident, C. Purling Esquire, at his Court, being an Enclosure in his Letter to the Board, dated Lucknow, 19th November 1779.

“ The Situation of my Affairs, respecting the present Time, I informed Mr. Middleton of, both by Writing and Conversation, and I now proceed to lay the Whole before you.

“ During these Three Years past, the Expence occasioned by the Troops in Brigade, and others commanded by European Officers, has much distressed the Support of my Household, inasmuch, that the Allowance made to the Seraglio and Children of the deceased Nabob has been reduced to One Fourth Part of what it was, upon which they have subsisted, in a very distressed Manner, for these Two Years past. The Attendants, Writers, Servants, &c. of my Court, have received no Pay for these Two Years; and there is at present no Part of the Country that can be allotted to the Payment of my Father's private Creditors, whose Applications are daily pressing upon me. All these Difficulties I have, for these Three Years, struggled through, and found this Consolation therein, that it was complying with the Pleasure of the Honourable Company,

Company, and in the Hope that the Supreme Council would make Enquiry from impartial Persons into my distressed Situation ; but I am now forced to a Representation." (a)

Then Sir James St. Clair Erskine was heard to sum up the Evidence upon the Fourth Article of Charge.

Then the Managers for the Commons informed the House, that, saving to themselves all their undoubted Rights and Privileges, the Commons were content to rest their Charge here.

Then the House adjourned to the Chamber of Parliament.

(a) Vide supra, P. 496.

Die Jovis, 2^o Junii 1791.

THE Lords being in their Places, the House resumed, the usual Proclamations made, and the Defendant appearing at the Bar, the Lord Speaker said :

“ Gentlemen who are of Counsel for Mr. Hastings, You may proceed in his Defence ; and the Lords will be pleased to give Attention.”

Then Mr. Hastings requested to be heard ; and was accordingly heard to observe generally upon the several Matters relied on by the Managers for the Commons on Behalf of the Prosecution.

Then the House adjourned to the Chamber of Parliament.

Die Martis, 14^o Februarij 1792.

TH E Lords being in their Places, the House resumed, the usual Proclamations made, and the Defendant appearing at the Bar, the Lord Chancellor said ;

“ Gentlemen, you who are of Counsel for the Defendant, may now proceed in his Defence ; and the Lords will be pleased to give Attention.”

Then Mr. Law, of Counsel for the Defendant, was heard in Part to open the Defence generally, and to observe upon the several Matters relied on by the Managers for the Commons in Support of their Charge.

Then the House adjourned to the Chamber of Parliament.

Die Veneris, 17^o Februarij 1792.

TH E Lords being in their Places, the House resumed, the usual Proclamations made, and the Defendant appearing at the Bar, the Lord Chancellor informed the Counsel for the Defendant, they might proceed in his Defence.

Then Mr. Law was further heard in Part to open the Defence generally, and to observe upon the several Matters relied on by the Managers for the Commons in Support of their Charge.

Then the House adjourned to the Chamber of Parliament.

Die Martis, 21^o Februarij 1792.

TH E Lords being in their Places, the House resumed, the usual Proclamations made, and the Defendant appearing at the Bar, the Lord Chancellor informed the Counsel for the Defendant, they might proceed in his Defence.

Then Mr. Law was further heard to open the Defence generally, and to observe upon the several Matters relied on by the Managers for the Commons in Support of their Charge ; and being fully heard thereupon,

The House adjourned to the Chamber of Parliament.

Die Jovis, 23^o Februarij 1792.

THE Lords being in their Places, the House resumed, the usual Proclamations made, and the Defendant appearing at the Bar, the Lord Chancellor informed the Counsel for the Defendant, they might proceed in his Defence.

Then Mr. Plumer, of Counsel for the Defendant, was heard in Part to open the Defence to the First Article of Charge particularly, and to observe upon the Matters relied on by the Managers for the Commons, in Support of the said First Article of Charge.

Then the House adjourned to the Chamber of Parliament.

Die Mercurij, 29^o Februarij 1792.

THE Lords being in their Places, the House resumed, the usual Proclamations made, and the Defendant appearing at the Bar, the Lord Chancellor informed the Counsel for the Defendant, they might proceed in his Defence.

Then Mr. Plumer was further heard in Part to open the Defence to the First Article of Charge particularly, and to observe upon the Matters relied on by the Managers for the Commons in Support of the said First Article of Charge.

Then the House adjourned to the Chamber of Parliament.

Die Jovis, 1^o Martij 1792.

THE Lords being in their Places, the House resumed, the usual Proclamations made, and the Defendant appearing at the Bar, the Lord Chancellor informed the Counsel for the Defendant, they might proceed in his Defence.

Then Mr. Plumer was further heard in Part to open the Defence to the First Article of Charge particularly, and to observe upon the Matters relied on by the Managers for the Commons, in support of the said First Article of Charge.

Then the House adjourned to the Chamber of Parliament.

Die Martis, 24^o Aprilis 1792.

THE Lords being in their Places, the House resumed, the usual Proclamations made, and the Defendant appearing at the Bar, the Lord Chancellor informed the Counsel for the Defendant, they might proceed in his Defence.

Then Mr. Plumer was further heard in Part to open the Defence to the First Article of Charge particularly, and to observe upon the Matters relied on by the Managers for the Commons, in support of the said First Article of Charge.

Then the House adjourned to the Chamber of Parliament.

Die Jovis, 26^o Aprilis 1792.

THE Lords being in their Places, the House resumed, the usual Proclamations made, and the Defendant appearing at the Bar, the Lord Chancellor informed the Counsel for the Defendant, they might proceed in his Defence.

Then Mr. Plumer was further heard to open the Defence to the First Article of Charge particularly, and to observe upon the Matters relied on by the Managers for the Commons, in support of the said First Article of Charge.

And, being fully heard thereupon ;

The House adjourned to the Chamber of Parliament.

Die Martis, 1^o Maij 1792.

THE Lords being in their Places, the House resumed, the usual Proclamations made, and the Defendant appearing at the Bar, the Lord Chancellor informed the Counsel for the Defendant, they might proceed in his Defence.

The Counsel for the Defendant informed the House, they should begin with that which was made the Subject of the First Evidence offered by the Managers for the Commons, on the First Article of Charge, and shew the Situation of Bulwant Sing, in the Year 1764; for which Purpose they desired Mr. Robert Hudson might be called in.

Mr. ROBERT HUDSON was accordingly again called in; and delivered in a Book, entitled, "Bengal Country Correspondence received, 7 Dec. 1763, to 29 Jan. 1765," and marked "70."

Read, the following Extract from the same.

(N^o 283.)

"Translation of a Proposal of Raja Bulwund Sing, by Soochiet Roy, to Major Munro, with the Major's Answer, received (in Calcutta) 16th November 1764.

"Proposal.—If you, Gentlemen, choose to possess yourselves of Shuja ul Dowla's Country, I will agree to hold the Sircars of Benaris and Gazypoor, and Jounpoor and Bajeigurr, &c. on the same Terms as I hold them from Shuja ul Dowla, and I have commissioned Ruja Shittabroy to settle this Matter for me. I will besides take upon myself the Management of Auzimgurra, and Two or Three other Districts, paying the customary Rents; and I request, that you will give me the Sunnuds for them, and let me possess * * * which was given to me, * Sic in Orig. Rent-free as usual."

"Answer.—For the present the Sunnuds shall be granted you, and you shall be established in the Territories till the Conclusion of the Negotiation with Shuja ul Dowla."

Read, also, a further Extract from the same Book.

(N^o 284.)

"Translation of a Paper delivered by Rajah Shittabroy, the 16th November 1764.

"Raja Bulwund Sing * as written to me as follows; "If it is the Intention of the English * Sic in Orig. Gentlemen to take Possession of Shuja ul Dowla's Dominions, I will agree to hold Benaris and Gazypoor, &c. which have long been under my Jurisdiction; the Revenues of which amounted to about 24 Lacks of Rupees a Year, and I paid 1,70,000 Rupees monthly, on the same Terms from the Company as I did from Shuja ul Dowla." He likewise desires, that in case the English Army should march forwards to conquer the Country, the Districts of Auzimgurra and Coonda, &c. which are near to Benaris, and lie very convenient for him, may be added to his Jurisdiction, as the Raja is a Man who adheres to his Engagements, and pays his Rents regularly: If it is your Pleasure to take the Country, let the Management of the aforesaid Territories be committed to his Charge; and, in case of an Accommodation with Shuja ul Dowla, yet let a favourable Answer be written to the Raja, to set his Mind at Ease; he is a Person of high Rank, and the Zemindar of a frontier Country."

Read, from Book 37, already delivered in, the following Extract of a Consultation of the 27th of December 1764, beginning at Page 691 of the same Book.

“ Fort William, the 27th December 1764.

Sec. Dept.
Thursday.

“ At a Consultation ; Present,
The Honourable John Spencer Esquire, President ;
Charles Stafford Playdell Esquire,
Ralph Leycester Esquire,
John Burdett Esquire.

“ Received a Letter from Messrs. Billers and Dacres, at Benaris, acquainting us with their Arrival there the 8th instant ; and that on their Application to Major Munro, they found he had made an Agreement with Bulwand Sing to leave him with the Collection of the Revenues, on paying the Company the same annual Sum he had before paid to the Vizier Shuja Dowla ; and that Major Munro had made this Appointment to Bulwand Sing in consequence of the King's Request, and had thought proper to assign the first Payment of this Collection to his Majesty's Use, on account of his having no other immediate Support.

(Signed at the End of the Consultation)

“ J. Spencer,
C. S. Playdell,
R. Leycester,
John Burdett.”

Read also, from Book 146, already delivered in, the following Letter from Messrs. Billers and Dacres to the Board.

(N^o 130.)

“ To the Honourable John Spencer Esquire,
President and Governor, &c. Council of Fort William.

“ Honourable Sir, and Sirs,

“ We arrived here the 8th instant ; and, on our Application to Major Munro, found he had made an Agreement with Bulwan Sing to leave him with the Collection of the Revenues, on paying the Company the same Sum he had before paid the Vizier Sujah Dowlah annually. Mr. Haer has since transmitted us Copy of your Letter of the 26th ultimo, with a Duplicate of the Instructions given to Mr. Marriott, &c. which we shall strictly abide by.

“ Major Munro will have informed you, that he has made this Appointment to Bulwan Sing, in consequence of the King's Request ; and has thought proper, as the King has no other immediate Support, to assign the first Payment of his Collection to his Majesty's Use.

We are, with Respect,

Honourable Sir, and Sirs,

Your most obedient humble Servants,

Benares,
the 13th December 1764.

“ W^m Billers,
P. M. Dacres.”

Read, from Book 505, already delivered in, the following Extract of a Consultation of the 17th of January 1765.

Thursday.

“ Fort William, the 17th January 1765. .

“ At a Consultation ; Present,
The Honourable John Spencer, Esquire, President ;
Charles Stafford Playdell,
Ralph Leycester, } Esquires.
John Burdett,

“ You will see, by the Letters from the Board, that the King is to be put in Possession of whatever Part of this Country shall be conquered by our Arms, and the Management of it given to such as he pleases. I therefore called in Bulwant Sing, at the Request of the King ; but as he had offered his Services before that Time, or that I knew the Intentions of the Gentlemen at Calcutta of keeping the Country, I encouraged his coming in as much as possible ; and, upon his getting the Country, as before, to collect the Revenues the same as he did for the Vizier, together with the King's sending Nabob Munier Dowla for him, he came in ; and our Agreement with him for collecting the Revenues has since been confirmed by the Board.

(Signed at the End of the Letter)

“ Hector Munro.”
(And at the End of the Consultation).

J. Spencer.
R. Leycester.” (a)

(a) Vide Appendix, N^o CCVIII.

Read,

Read, the following Extract from the printed Minutes of Evidence, beginning at Page 13 of the same.

VII.

" It being firmly resolved to restore to his Highness the Country of Benares, and the other Districts now rented by Bulwund Sing, notwithstanding the Grant of the same from the King to the English Company, it is therefore agreed, that they shall be ceded to his Highness in the Manner following; viz. They shall remain in the Hands of the English Company, with their Revenues, till the Expiration of the Agreement between Bulwund Sing and the Company, being on the 27th of November next; after which his Highness shall enter into Possession, the Fort of Chunar excepted, which is not to be evacuated until the Sixth Article of this Treaty be fully complied with."

Read, from Book 507, the following Extract of a Consultation of the 11th of April 1788, beginning at Page 320 of the same Book.

* " Fort William, 11th April 1788.

" With respect to several of these, a Question of considerable Importance arises. It appears that many Zemindars were dispossessed by Bulwant Sing, when he was employed as Aumil of Benares under the Father of the late Sujah Dowla. Their Claims were acknowledged by Mr. Hastings in 1781, and his Determination went to the Restoration of them to their Zemindaries, which, with regard to Rajah Adel Sing, was literally carried into Execution.

(Signed at the End of the Consultation)

" Cornwallis,
J. Shore." (a)

Read, from Book 508, the following Extract of a Consultation of the 21st May 1788, beginning at Page 948 of the same.

" Fort William, 21st May 1788.

" At a Council; Present,
Earl Cornwallis, K. G. Governor General, President;
The Honble. Charles Stuart,
and
John Shore Esquire.

Secret Dep.
Wednesday.

" Read, the following Letter and its Inclosures, from the Resident at Benares." (b)

Read, a further Extract from the same Book and same Consultation, beginning at Page 949 of the same.

" Enclosed I submit a short Statement of the Dates and Manner of the Dispossession of the several Landholders, on the Claims of whose present Representation your Lordship in Council has decided; whence they appear to have all happened prior to the Accession of the Company to the Dewanny of the Province of Bengal and Bahar, or even to the first Acquisition of Benares, by the British Arms in the Year 1766; so that, although all the Persons in question were not dispossessed, as your Lordship's Resolutions seem to imply, in the Life-time of Sudder Jung (my Address of the 16th February only specifying the Ancestor of Gobind Jut to have then lost the Zemindary of Kimlet), yet the Dates of the Dispossession of all appear to be anterior to the most distant of the Periods of Limitation pointed out in the Resolutions of the 11th ultimo, and thereby afford a sufficient Ground for these Resolutions.

(Signed at the End of the Letter)

" Jonⁿ Duncan, Resident.
(And at the End of the Consultation)

Benares,
9th May 1788.

" Cornwallis,
Cha. Stewart,
J. Shore." (c)

Read, a further Extract from the same Consultation, beginning at Page 955 of the same Book.

" Translation of Amrow Sing's Report of the Date of the Dispossession of sundry of the former Landholders of the District now comprising Part of the Zemindary of Benares.

Enclosure in a
Letter from
the Resident
of Benares, of
9th May.

" Meer^rRustun Ali Khaw was dispossessed from his Farms of the Cerkars of Benares, Chunar and Juanpore; and Bulwant Sing was appointed by the Nabob Saadut Khaw, the Predecessor of

* N. B. There is no Entry at the Beginning of the Consultation of the Members who were present.

(a) Vide Appendix, N^o CCIX. (b) Vide Appendix, N^o CCX. (c) Vide Appendix, ibid.

Muzoor Khan, to the Charge of the Collections thereof, on the 21st of the Month of Suffer, in the 1151 of the Hejrah; that is 51 Years and 7 Months ago.

2nd.

“ The Raja of Byy Gurr was forced to resign his Ameldarry of the Byy Gurr District, and to sell the Fortrels of that Name for 70,000 R^s to Raja Bulwant Sing, in the Fuffilee Year 1160, that is 36 Years. Raja Adel Sing is the present Representative of this Family.

3rd.

“ Loll Bukermajeet, the Raja of Pergunnah Hunlet (the Ancestor of Govind Jeet and Raja Ram Gholaum) was displaced in 1161 Fuffilee, that is 35 Years ago. At that Time Mahom-mad Khuli Khan and Roy Purtab Sing were the Naib of the Soubah of Allahabad and Oude. As there was a large Balance of Revenue due from the said Loll Buckermajeet to the aforesaid Kuli Khan as Naib of Allahabad, Bulwant Sing (who then paid his Revenue to Roy Pertab Sing, who came to assist Kuli Khan in the Expulsion of Buckermajeet), gave the Banker, Nundoo Loll Sahi, Security for 90,000 R^s, for the Liquidation of the latter Balance, and thereupon possessed himself of Kunteel.

4th.

“ The Nabob Abul Mumoor Khan, the Father of Shajued Dowla, died in 1168 of the Hejra, that is 33 Years ago.

5th.

“ The Nabob Fuzul Ali, Khan of Ghazapoor, was displaced from Ghazeepore in 1169 Fuffilee, that is 27 Years ago. Beny Behader was at that Time Naib of the Soubah of Oude, on the Part of the Nabob Sujah Dowla, and appointed Raja Bulwant Sing to Ghazypoor.

6th.

Baboo Dergbyy Sing (the Father of Raja Bhuggat Sing), then the Zemindar of Seunga, in the Pergunnah of Chowlah, was displaced by Force of Arms by Raja Bulwant Sing, in 1170 Fuffilee, that is 26 Years ago.

7th.

“ Bhowayl Sing, the Zemindar of the Pergunnah of Beluah, was dispossessed by Bulwant Sing in the Fuffily Year 1171, 25 Years ago.” (a)

To shew the Conduct of Bulwant Sing during the War between Sujah Dowlah and Cossim Ally Cawn and the English in the Years 1764 and 1765;

Read, from Book 37, already delivered in, the following Extract of a Consultation of the 26th of April 1764, beginning at Page 142 of the same Book.

“ Fort William, the 26th April 1764.

Secret Dep.
Thursday.

“ At a Consultation; Present,
The Honourable Henry Vanfittart Esquire, President;
Commodore Tinker,
Warren Hastings Esquire,
Randolph Marriott Esquire,
Samuel Middleton Esquire,
Ralph Leycester Esquire,
John Burdett, Esquire.

“ Received Two Letters from Major Carnac, dated the 9th and 17th instant, the former repeating, and explaining fully, the Reasons which determined him to cross the Soane and retire towards Patna; and advising us, that he is now convinced, from Bulwand Sing's Behaviour, (of which the Major gives us an Account), that his proposed Alliance with us was only a concerted Scheme to draw us further on, and to favour Shuja Dowla's Designs of getting between our Army and Patna.

(Signed at the End of the Consultation)

“ Sam^l Middleton,
Ralph Leycester,
John Burdett.”

(a) Vide Appendix, *ibid*.

Read, from Book 146, already delivered in, the following Extract of a Letter from Major Carnac to the President and Council at Fort William, dated the 9th of April 1764.

" With regard to Bulwand Sing, I am convinced he has only been amusing us, and that the proposed Alliance was a concerted Scheme to bring us further on; for though I added my Seal to the Nabob's, in a Province of the Sovereignty of his Zemindary, on Condition of his joining with us, upon my requiring, in Proof of his Sincerity, that he would deliver to my Custody the Fort of Serounjah, (which would have been in our Rear had we proceeded further up the Ganges), and that he would give me a Meeting, he evaded both, and never obstructed the Enemy, nor afforded us the least Supply of Grain, both which he might easily have done.

(Signed at the End), " John Carnac."

Read, from Book 37, already delivered in, the following Extract of a Consultation of the 6th November, 1764, beginning at Page 579 of the same Book.

" Fort William, the 6th November 1764.

" At a Consultation; Present,
The Honourable Henry Vansittart Esquire, President;
John Spencer Esquire,
Chas Stafford Playdell Esquire,
Warren Hastings Esquire,
John Johnstone Esquire,
Samuel Middleton Esquire,
Ralph Leycester Esquire,
John Burdett, Esquire.

Secret Dept.
Tuesday.

" To Major Hector Munro, Commander in Chief of the Army.

" With respect to Bulwand Sing, the Rajah of Benaris, and Zemindar of the Gauzepoor Country, the double Part he acted in the Beginning of the War, sufficiently warns us to put no Confidence in him; and therefore, if he has not already been permitted to join you, or you have entered into no Engagements with him, we would have him dispossessed of his Country, and his Person, if possible, secured.

(Signed at the End of the Consultation)

" J. Spencer,
C. S. Playdell,
Ralph Leycester."

Read, from Book 505, already delivered in, the following Extract of a Consultation of the 21st January 1765.

" Fort William, 21st January, 1765.

§

" At a Consultation; Present,
" The Honourable John Spencer Esquire, President;
" Chas Stafford Playdell, }
" Ralph Leycester, } Esquires.
" John Burdett, }

Monday.

" Received a Letter from Major Carnac, dated Cossibuzar the 5th instant, advising of his Arrival there the Day before, and that he should proceed on as fast as the Things which are of immediate Necessity for his Journey can keep pace with him. That he has Advice of Bulwant Sing's having eloped from our Army," § [and desiring an explicit Account of our Plan and Views in the Prosecution of the War, that he may regulate his Conduct accordingly; but offering at the same Time, as his Opinion, that we have engaged ourselves too far with the King, unless it be our determined Resolution to pursue Shuja Dowla to the utmost, and to decline all further Reconciliation with him.]

Major Carnac's Letter.

" Agreed, we write him in Answer, That with regard to the Intelligence he mentions to have received, of Bulwant Sing's having left our Army, we suppose it must be entirely groundless, not having had any such ourselves; and that no Engagements have been made with him, but such as it is equally for his Interest as ours should be fulfilled.]

(Signed at the End of the Consultation)

" J. Spencer,
J. Burdett." (a)

(a) Vide Appendix, N° CCXI.

Read, also, from the same Book, the following Extract of a Consultation of the 1st of April 1765.

“ Fort William, the 1st April 1765.

Secret Dept.
Monday.

“ At a Consultation; Present,
The Honourable John Spencer Esquire, President;
Charles Stafford Playdell Esquire,
Ralph Leycester Esquire,
John Burdett Esquire,
George Grey Esquire.

“ Agreed also, That we do now write a Letter to the General and Mr. Marriott, on the Subject of the Agreement made by them with Bulwanting as advised in their different Letters of the 18th, 22d, and 28th February, and 9th ultimo. That this Man acted, from the first, so wavering a Part, that we expressed, in our Instructions to Major Munro, after the Battle of Buxar, our Wish to have no Manner of Connection with him, but rather that his Person should be secured, and some other placed in his Zemindary who was more to be relied on. However, as the Major had, previous to the Receipt of these Instructions, admitted him to a Treaty, and received him on the Faith thereof, that we consented to abide by it; in this also he failed, and therefore it was our Intention to have trusted him no further; which Sentiment is also expressed by the General in his Letter of the 15th January, from Cossimbuzar, where he points him out as One by no means to be depended on: That this is sufficient to inspire us with the strongest Doubts of his Fidelity, and see but too much Cause to apprehend, if Shuja Dowla should again move this Way, with any considerable Force, or our Army, at any Time, receive a Check, that he will be the first to break his Engagements in favour of the Enemy; and as his Situation will always place him between our Provinces and our Army, he may be able to do us much Mischief, if allowed to keep up a Force: That, after Bulwanting, in Violation of his Treaty, had deserted our Army, it was, as before observed, our Wish, that the Country had been placed in the Hands of some Person on whose Fidelity we might at least have had some Dependence, and whose Troops might have been an Addition to our own Strength, in case of a Renewal of War: But as it appears, that Bulwanting has again been received back on the Faith of Promises made by them, that we shall abide by them, though we wish none had been made till our Sentiments had been known: That we can now only recommend, that a strict Eye be kept upon his Conduct and Correspondence; and that he be not allowed to maintain such a Body of Forces as may, on any Occasion, be detrimental to us: That, at the Time we say this, we are willing to give up those Articles, amounting to Rupees 2,28,306 10, which were left undetermined by them, in hopes of making it his Interest to remain faithful, by the Advantages he will reap from his Connection with us, the Security that we look for from extending our Frontiers being a greater Object than any Increase of our Revenues.

(Signed at the End of the Consultation)

J. Spencer,
R. Leycester,
J. Burdett,
George Gray.”

The Managers for the Commons desired, That the Consultation containing the Substance of the Letters referred to in the last mentioned Extract, might be read.

Read, accordingly, from the same Book, the following Extract of a Consultation of the 21st March 1765.

Secret Dept.
Thursday.

“ Fort William, the 21st March 1765.

“ At a Consultation; Present,
The Honble. John Spencer Esquire, President;
Charles Stafford Playdell, } Esquires,
George Gray, }
Mr. Burdett indisposed.

“ Received since our last Meeting Three Letters from Mr. Marriott, Chief of Benaris, dated the 18th, 22d, and 28 ultimo, advising of Bulwanting's Return, and of his having, in Conjunction with General Carnac, settled with him for his Revenues to be paid the Company; and enclosing a Statement of them with Copies and Translations of the Agreements to which he referred us, advising further that the Raja had already paid the King about 1,20,000 R^s; he had received two himself, and was to receive another immediately. (a)

(Signed at the End of the Consultation)

“ J. Spencer,
George Gray.”]

(a) Vide Appendix, N^o CCXII.

Read, also, a further Extract from the same Book and same Consultation, as follows:

☞. [" Agreed,

" That on the Subject of the Agreement made with Bulwantsing, and the Points therein referred to our Determination, we have not yet resolved any thing; but have in the mean Time given the Directions before minuted to the Gentlemen of Benaris." (a)] ☞

The Counsel for the Defendant stated, They should next proceed to shew the Situation in which Bulwant Sing stood with respect to the Vizier Sujah Dowlah after the Treaty of Allahabad, and after the Country was restored to the Vizier.

Read, the following Extract from Book 509, already delivered in, beginning at No. 31 of the same Book.

" To Bulwand Sing, written D°. *

" I am lately informed, that you have stopped several Boats, even with Military Stores, though they had English Dustuchs, and have demanded Duties from the Merchants selling Diamonds to Mr. Chamier, though he has the Nabob's Perwannah to exempt him therefrom. A Respect to the English Seal is due from you on all Occasions; and whenever, therefore, any Dustuchs shall come, you will pass the Boats without Delay, and send a Copy of the Dustuch to me, and I will take Care no Abuse is made. The Nabob has a Right to your Obedience in every Thing, and it is therefore a high Offence to act in Contradiction to his Commands; you will therefore abstain from such Behaviour, and pay a due Regard to all his Orders in future."

(No Signature).

To shew the Circumstances under which Cheit Sing was appointed to succeed Bulwand Sing in the Management of Benares.

Read, from Book 504, already delivered in, the following Extract of a Consultation of the 25th September 1770, beginning at Page 644 of the same Book.

" Fort William, the 25th September 1770.

" At a Select Committee; Present,
The Honourable John Cartier Esquire, President;
Claud Russell, }
and } Esquires.
Charles Floyer, }

" To the Honourable John Cartier Esquire, President and Governor, to Gentlemen of the Select Committee.

" Honourable Sir and Sirs,

" I am this Moment come from the Vizier, who sent for me, to acquaint me of the Death of Bulwand Sing, which happened the Night before last. His Excellency desires me to acquaint you, that he shall set out in a few Days for Benares, to take Measures for his own Advantage; but that he shall be happy to act in such a Manner as will prove most agreeable to you, and that he hopes you will write him instantly on this Subject. This, however, the Vizier seems determined on, not to allow Bulwand Sing's Son to hold the same Authority as his Father did, either in Country or Forces.

(Signed at the End of the Letter)

" Gabriel Harper.

" Fayzabad,
the 25th Aug. 1770,
10 P. M.

And at the End of the Consultation,

" John Cartier,
Claud Russell,
Charles Floyer." (b)

Read, from Book 4, already delivered in, the following Extract of a Letter from the President and Council at Fort William, to the Court of Directors, dated September the 11th 1770.

2. " We have just received Advices of the Death of Rajah Bulwand Sing, who died at Benares the 23d^o ultimo, after a short Indisposition of some Hours. A few Months ago the Rajah had gone through a long and painful Sickness, of which he had apparently recovered; and, barring his old

* Upon Reference back no Date appears—the previous Letter having a Blank left for the Date.

(a) Vide supra, Appendix, N° CCXII.

(b) Vide Appendix, N° CCXIII.

Age, and the Infirmities incident to it, he was far from being considered in any immediate Danger. In our former Letter, Gentlemen, we expressed our Sentiments of the Consequence it was to your Affairs, that the Succession to the Zemindary of Benaras should continue in the Family, but that it was a delicate Point to accomplish with the Vizier. A Regard to your Interest has long made it our Wish, but the doubtful Conduct of the Vizier has, for some Time, made it an unreasonable Measure. The Occasion, however, now demanded immediate Dispatch, and the President was requested to write the Vizier accordingly, in favor of the Son of the late Rajah, in Terms that would least awaken his Jealousy. The Time has been, Gentlemen, when this might have been made a Demand; but Circumstances are now much changed, and even Address is necessary to solicit. A jealous suspicious Disposition of the old Rajah, assisted by a Distrust of their own Children, inherent in the Minds of the People of this Country, may possibly have been the Reason why the Son was not included in the Treaty of 1765; for had he expressed a Wish to secure the Zemindary in his own Family, at a Time when the Vizier was receiving back his Country from our Hands, a Doubt can scarcely be found but it would have been attended with Success; but suspicious, probably, of Consequences that his Son should think he had a Right to the Succession, and equally fearing that the Measure might be attended with a considerable Reduction to his Treasures from the usual Presents made on such Occasions, his whole Aim seemed to center in Self-security, without the least Attention to the Good of his Posterity; indeed it would appear at a Time when lately his Life was despaired of, this Thought first struck him, and he was desirous then to engage our Interests, and appeared no way backward to satisfy the Vizier, as to any pecuniary Present which might be expected from him. But he was no sooner free from Danger but this Love of Money returned upon him, and he became no longer eager to obtain his Wish, but solely through our supposed Interest with the Vizier, and meeting with no Inconvenience to himself.

Signed at the End of the Letter,

“ John Cartier,
Claud Russell.”

Read, from Book 504, already delivered in, the following Extract of a Consultation of the 25th September 1770, beginning at Page 648 of the same Book.

“ Fort William, the 25th September 1770.

“ At a Select Committee; Present,
The Honble. John Cartier Esquire, President;
Claud Russell,
and
Charles Floyer, } Esquires.

“ The Vizier Yesterday informed me that he had received a Letter from Allage Cawn, who acquainted him that Bulwand Sing's Son had promised to present the Nabob with Ten Lacks of Rupees if he would grant him the Sunnuds his Father held: His Excellency has promised to do it (he is much changed in a few Days), provided he pays him Double that Sum as a Nezaranah, and increases the Revenue Five Lacks per Annum. The Nabob will not I think march until he hears again from Allage Cawn. The Truth I believe is, he is apprehensive of determining on any Thing until he knows something of your Intentions regarding this Affair.

“ His Excellency entreats that you will be pleased to take some effectual Measure for his being repaid the Ten Lacks he lent his Majesty.

“ I have the Honour to be, with the highest Respect,
Honble. Sir, and Sirs,
Your most obedient and most humble Servant,
Gabriel Harpur.” (a)

To shew the Sense Cheit Sing himself expressed of the Obligation conferred upon him by the Company for their Favour on the Occasion of his Accession,

Read, from Book 199, already delivered in, the following Extract of a Letter from Rajah Cheit Sing to the President, dated 7th November 1770.

“ From Rajah Chyte Sing, 7th November 1770.

“ The Favour of the English Serdars is such that I cannot describe the smallest Particle thereof, and if even every Hair of my Head was a Tongue it would be impossible to express my sense* of it: May the Almighty preserve the English Serdars in their Establishment, by hearkening to the Prayer of your sincere well Wishes, and for the Rest may the Wealth and Prosperity of your Excellency endure.” (b)

* Sic in Orig.

(a) Vide supra, Appendix, N° CCXIII.

(b) Vide Appendix, N° CCXIV.

To shew the Tenure of the Rajah Cheit Sing, and his Situation under the Company,
Read, from the printed Minutes, beginning at Page 59, the following Extract of
a Consultation of the 24th August 1775.

“ Fort William, the 24th August 1775.

“ At a Council; Present,.

The Honble. Warren Hastings, Governor General, President ;
Lieutenant General John Clavering,
The Honble. George Monson,
Richard Barwell, } Esquires.
Philip Francis, }

“ Resolved, That the following Letter be written by the Governor General to Raja Cheyt Sing,
to be delivered to Mr. Fowke with his Credentials.

“ To Raja Cheyt Sing.

“ By the Treaty concluded with the Nabob Asoph ul Dowlah on the 21st of May last, of which
you are already apprized, the Districts which you held as a Zemindarry from him, and from his
late Father, the Vizier Suja ul Dowlah, have been ceded to the English Company.

“ The Board have therefore thought proper to depute Mr. Francis Fowke, on their Behalf, to
take Possession of these Territories; but being willing to continue the Grant of the Zemindarry to
you in as full and ample a Manner as you possessed it from the former Sovereigns, and upon
the same Terms, that is to say, on your paying to the Order of the said Company at Benares the
annual Tribute of Rupees 23,72,656 : 12, by regular monthly Kists, or Payments of Rupees
1,97,721 : 6 : 4, in each Month, I have delivered to the Charge of Mr. F. Fowke a Sunnud in the
Name of the Company, with a Kelaat, with which he is empowered to invest you in due Form,
reserving however to the Company the Sovereignty of the Country to the full Extent that it was
or might have been held by the late or present Soubah of Oude. Upon Occasion of this Investi-
ture, after paying a Nuzzerranna for the Company, which I have fixed at 10,000 Rupees, it is
necessary that you take an Oath of Fealty or Allegiance to the Company, by which you are to
understand, that on forming any Alliance with a foreign Prince, or acting in any Manner con-
trary to the Fidelity which you have thus sworn to maintain to the Company, your Zemindarry,
with all the Rights and Privileges granted to you by the Company, will become forfeited; and it will
be proper that a public Proclamation should be made of these Transactions, that the Natives as
well as Europeans may be fully informed of the Grant made to you, with the Reservation of the
Rights of Sovereignty to the Company.

“ I mean, as soon as it is in my Power, to fix a proper annual Compensation to be made by you
for the Grants of the Mint and Cutwally, to transmit you Sunnuds for them, to continue in Force
during your Life; but I must wait for Information from Mr. Fowke to enable me to settle these
Matters.

“ The other Sources from which the Nabob of Oude drew a Revenue will also be granted you,
that you may possess an uncontroled and free Authority in the Regulation and Government of
your own Zemindarry; and Mr. Fowke is authorized to treat with you, to settle the most equitable
Terms upon which you may obtain these Articles.

“ Warren Hastings,
J. Clavering,
Geo. Monson,
R. Barwell,
P. Francis.”

Read, from Book 75, already delivered in, the following Extract of a Consultation
of the 9th November 1775, beginning at Page 860 of the same Book.

“ Fort William, the 9th November 1775.

“ At a Council; Present,

The Honourable Warren Hastings, Governor General, President ;
Lieutenant General John Clavering,
The Honourable George Monson,
Rich^d Barwell, } Esquires.
Philip Francis, }

Secret Dept.
Thursday.

“ Honble. Sir, and Sirs,

“ In pursuance of your Instructions, of Date the 24th August, I received on the 21st October
the Sum of 10,000 Gomsoy Rupees from Rajah Cheit Sing, as a Nuzzaranah in Acknowledge-
ment of the Sovereignty of the Honourable the East India Company over the Territories of his
Zemindarry, Proclamation of which has been made through the City of Banaras, and Perwannahs
have been issued by the Rajah to the several inferior Zemindars, with Orders that the same be
proclaimed

proclaimed throughout their respective Districts on the 23d October. I received from the Rajah a Tahud under his Signature in the Form described; administered to him an Oath of Allegiance, and delivered to him the Sunnuds of Investiture, and a Khelaut in the Manner you were pleased to direct in your Letter of the 12th October.

" I have made a diligent Inquiry into the Nature of the Mint and Cutwally, and hope to be able in a few Days to transmit to your Honourable Board a satisfactory Account of those Offices.

" I have the Honour to inclose herewith the Tahud on the Part of Rajah Cheite Sing; and to subscribe myself, with the greatest Respect, &c.

" Benaras,
30th October 1775.

(Signed) Francis Fowke.

(Signed at the End of the Consultation)

" Warren Hastings,
J. Clavering,
Geo. Monson,
Rich^d Barwell,
P. Francis. (a)

Read, from Book 78, already delivered in, the following Extract of a Consultation of the 8th January 1776, beginning at Page 525 of the same Book.

" Fort William, the 8th January 1776.

Secret Dept.
Monday.

" At a Council; Present,
The Honourable Warren Hastings, Governor General, President;
Lieutenant General John Clavering,
The Honourable George Monson,
Richard Barwell, } Esquires.
Philip Francis, }

" Received the following Letter from Mr. Francis Fowke.

" Honourable Sir, and Sirs,

" I have received the Honour of your Orders under Date the 6th instant. The Raja is at present employed at some Distance from Benares in the Reduction of some seditious Zemindars. His Return is in a few Days expected, when I shall be careful immediately to communicate to him your Pleasure.

" In my Address of the 30th October last, I had the Honour to transmit to you an Account of the Investiture of Raja Cheite Sing, and from the Fear of unnecessarily troubling your Honourable Board with the Relation of mere Forms and Ceremonies, had expressed myself in Terms as concise and short as possible. Having, upon more mature Reflection, considered that the Forms practised upon such solemn Occasions are the Evidences of Sovereignty and Subjection, and should consequently stand on the Records of the Honourable Company, I have thought it my Duty to lay before your Honourable Board the following particular Account of this Ceremony:

" The Raja's Palace being situate on the further Side of the River would have much impeded the Procession of this Ceremony to it. It was further judged proper, and by the Raja himself proposed, that he should shew a Respect to the Power from whom he received this Honor, by advancing from his Palace to meet it. In consequence of this, Tents were erected upon a Plain on the West Side of the City, to which the Raja proceeded in the Morning of the 23d October, attended by all his Officers and the principal Inhabitants of the Place. Upon his giving me Information of his Arrival at the Spot, I set out in my Palanquin, and proceeded slowly towards the Tents, my Father accompanying me, and a Servant carrying with him the Khelaut upon an Elephant. I alighted at some small Distance from the Tent, where the Raja advanced to meet me, and conducted me in. After an Exchange of the usual Compliments, the Rajah proposed that we should retire into a smaller Tent, which we accordingly did; the Raja himself attended by his Dewan Moonshy and Two other Servants, and my Father accompanying me with my Moonshy and another Servant attending, the Tahud was then read to the Raja, his Seal by his Direction affixed to it, and the Instrument itself delivered into my Hands. The Raja then directed all his Servants except his Dewan to retire, and in Presence of myself, my Father, and my own Two Servants, took an Oath of Fealty to the Honourable the East India Company, swearing upon his Sword to observe inviolably his Allegiance to the Honourable Company, and to enter into no Engagement or Alliance with any other Power whatsoever. I had before considered the kind of Oath that would be the most proper upon this Occasion, and having learnt that this of his Sword was highly sacred, and at the same time exempt from a Degree of Disgrace attending some kind of Oaths, I had consented to his taking it. The Raja's Servants were after this called again into the Tent; the Sunnuds were read to him, and I delivered them, together with the

(a) Vide Appendix, N^o CCXV.

Honourable the Governor General's Letter, with my own Hand to the Raja. We then returned into the large Tent, where the Khelaut was produced, and put on by the Rajah, at which I assisted so much as to make the Act my own; and at the Conclusion delivered a Sword and Shield into his Hands, and the Elephant and Horse were brought forward to the Door of the Tent. During the Performance of this Ceremony the Raja's Chubdars and Servants repeated Words of similar Import to those of "God save, and long live, the Honourable Company." The Rajah after this made Three several low Obeisances, as to the Power from whom he had received this Honour; and, taking his Leave of me, left the Tent upon an Elephant. I got into my Palanquin soon after, and was saluted at my Departure by a Discharge of some Pieces of small Artillery, which were drawn up before the Tent.

"I have not been wanting to remonstrate to the Raja against the Tardiness of his Payments of the Kist, but hitherto without Success; having to this Time received only Seven Lacks and Nine thousand of Ten Lacks which are due.

I am, &c. &c.

"Benares, 20th Dec. 1775.

(Signed) Francis Fowke.
(Signed at the End of the Consultation)

"Warren Hastings,
J. Clavering,
Geo. Monlon,
Rich^d Barwell,
P. Francis."

Read, from Book 6, already delivered in, the following Extract of a Letter from the Governor General and Council, to the Court of Directors, dated the 11th September 1775.

"To the Honourable the Court of Directors for Affairs of the Honourable the United Company of Merchants of England trading to the East Indies.

"Honourable Sirs,

"Par. 10. In our Letter of the 3d August, of which you will receive a Duplicate by this Ship, you are advised of the Acquisition of the Territories of Raja Cheyt Sing to the Company, and of the Steps which we had then taken towards settling with him for the Zemindarry. On the 16th of that Month we again took this Subject into Consideration, and called the Vakeel before us, who had received an Answer from his Master to our First Offer; but not being able to ascertain from him the Fineness and Quantity of the Silver of the Gourshay Rupees, in which Coin the Tribute from the Rajah is to be paid, nor the exact Amount which the late Farmers of the Mint and Cutwally at Benaris, and the Cutwally at Juanpore, had paid annually to the Nabob and his Officers for the Grant of those Articles, we judged it necessary to appoint a Person to proceed to Benaras, to make sundry local Investigations into these and other Points, to enable us to come to a final Adjustment with the Rajah; and we accordingly appointed Mr. Francis Fowke. In the mean Time we agreed that the Raja should continue to pay, at Benaras, the exact Sum, and in the same Species of Rupees, as he had paid to the late and present Nabobs of Oude; that is to say, 23,72,656 12 Gourshay Rupees, exclusive of the Mint, Cutwally, and other Articles, which the Nabob held in his own Right.

(Signed at the End of the Letter)

"Fort William,
the 11th September 1775.

"Warren Hastings,
J. Clavering,
Geo. Monlon,
Rich^d Barwell,
P. Francis."

Read, also, from the same Book, the following Extract of a Letter from the Governor General and Council to the Court of Directors, dated the 15th January 1776.

"To the Honourable the Court of Directors for Affairs of the Honourable United Company of Merchants of England trading to the East Indies.

"Honourable Sirs,

"Par. 14. The Amount of the yearly Tribute of the Raja Cheyt Sing, fixed by his Treaty with the late Nabob of Owde, was Barnaras R^s 22,48,449, besides which we find that he paid a farther annual Tax, under the Head of Nuzzerana, of R^s 90,000, which, consistently with our Resolution to exact the same from him as he paid to the late Vizier, we think the Company had an undoubted Right to, and therefore we resolved to fix the Sum, adding the Value of a few Articles, which we had left the Settlement of to Mr. Fowke, at Barnaras R^s 23,40,209, or Sicca R^s 22,66,180—1191 Decr. We have authorized Mr. Fowke to treat with the Raja for the Payment of this Sum by monthly Instalments at Calcutta, and we have Reason to hope, from the Concessions we have made to him, in the Articles of the Mint, and Cutwally, that he will take

upon himself this Remittance on moderate Terms. Mr. Fowke has received from him 7,09,000 R^s to the 20th ult. and we have directed him to remit this Amount through the Hands of the Raja, or by Bills obtained from the Merchants of Banaras.

" 15. It appearing that the Coinage struck for many Years past in the Mint at Banaras, had been debased in proportion to the annual Rent paid by the Person who farmed it to Government, we thought it advisable to fix a proper Weight and Standard to be invariably observed by the Raja, in all Money which might be coined, on Pain of forfeiting the Mint, and being liable to any Penalty the Board might think fit to impose on the first Instance of any Deviation; and to obviate any Objection on his Part, we have relinquished the Sum which had been usually paid for that Farm.

" 16. Conceiving also, that no Profits could be justly yielded by the Cutwallies above the Expence of their Establishments, we were unwilling to encourage Oppression, or to furnish a Pretence for the Raja, or his Ministers, to introduce or give Sanction to any venal Perquisites in his Courts. We also remitted the Sum commonly paid to the Nabob for a Grant of them.

(Signed at the End of the Letter)

" Fort William,
15th January 1776.

" Warren Hastings,
J. Clavering,
Geo. Monson,
Rich^d Barwell,
P. Francis."

The Counsel for the Defendant informed the House they had now finished all their written Evidence relative to the Preamble of the Charge.

Then the Counsel for the Defendant requested Permission to examine the Lord Viscount Stormont.

Whereupon the Lord Viscount STORMONT, being sworn at the Table by the Lord Chancellor, was examined, as follows :

Q. Does your Lordship recollect, when you were Ambassador in France, in the Year 1777, to have seen Mr. Alexander Elliot at Paris, in his Way from England to India?

A. I certainly do.

Q. Whether your Lordship, at that Time, made any Communications to Mr. Alexander Elliot respecting the Designs which the French Court then entertained against India, and upon any intended Invasion of our Territories in India?

A. I conceive the best Manner in which I can answer the Question will be, to give as short an Account as I can of what passed with Mr. Elliot.—I saw Mr. Elliot several Times at the Period alluded to.—I did not then, when he came to Paris, know him personally, but I knew perfectly well the high Character he bore, and the Estimation in which he was held by the East India Company.—I knew that he was in the Confidence of the Direction—I endeavoured, in some Conversations I had with him, to extract from him, as far as I could, whether he was, or was not, informed of any Alarms conceived by the East India Company. Upon repeated Conversations with him on that Subject, I found that he was not; and I conceived from thence that the East India Directors had no Alarms of the Designs of France. It was rather a difficult Situation for me to act in, as there was not a Possibility, in point of Time, of receiving Orders from my Court. After some Hesitation, I told Mr. Elliot, that, having conceived the highest Opinion of his Abilities and Secrecy, I would take upon myself to do that which I perfectly knew was irregular, but what I thought warranted by the Occasion—That I did think I had Intelligence to communicate through him, who was going immediately to India, that might be of Importance; but that before I said a Word to him upon the Subject, I must annex one Condition: "He must engage to communicate the Intelligence which I should mention to him, in the same Words, and as nearly as could be, at the same Point of Time, to Mr. Hastings and to Sir John Clavering." To the best of my Recollection, I added, "that though I knew their Differences upon many Points, I was persuaded that both of them were equally anxious, and equally desirous of obstrueting any Designs, open or secret, of the Court of France." He readily agreed to that Condition; and I then dictated to him the Intelligence that I thought material, and which he took down in his Pocket Book; and, as he told me, wrote it in the Persian Language, thinking that the best Cypher he could use. I never took any Minute of what I dictated to Mr. Elliot; but I have read Mr. Elliot's Letter as reported in a printed Book of the Minutes of the Committee of the House of Commons—I have read it lately. It is impossible, at this Distance of Time, to be certain they are accurate, as to the Words I used, but I am certain they are perfectly accurate as to the Substance of the Intelligence, which in every Part, to the best of my Memory, agrees exactly with what I said to Mr. Elliot—It will therefore, I believe, be an Assistance to my Memory, and the correctest Manner in which

which I can give my Evidence, if you will permit me to read that Passage; for I am certainly the Person to whom Mr. Elliot referred; and all I shall add to that Account is, that I did recommend Secrecy to him, for obvious Reasons, stating to Mr. Elliot my Opinion, that the Intelligence I gave him was to be relied upon.—I had that Opinion at that Time, and I retain it now.”

Then the Book alluded to by the Lord Viscount Stormont was shewn to him; and he read, as follows :

“ Honourable Sir, and Gentlemen,

“ Having been fortunate enough to obtain some Intelligence, before I left Europe, in which the Interests of the East India Company, and the Influence of Great Britain in India, appear to be deeply interested, I think it incumbent upon me to take the earliest Opportunity of communicating it to your Honourable Board. I am concerned at the same Time to be under the Necessity of laying the Facts only before you, without having it in my Power to point out the Channels through which the Intelligence was conveyed to me, as my Promise was most particularly taken before I was myself intrusted with it, that I should conceal the Names of the Persons from whom I received the Information.”

Then the Lord Viscount Stormont proceeded in his Evidence, as follows :

“ I must stop a Moment here to observe, that Mr. Elliot has perfectly complied with what was the Condition; namely, That he should not communicate it to the Board; but my Intention was to leave him at Liberty to communicate from whom he had the Intelligence to Mr. Hastings and Sir John Clavering, and to them alone.—I drew the Line there, that it should be communicated to Mr. Hastings from the Situation in which he stood, for I had no personal Acquaintance with him since we parted at Westminster School; and as to Sir John Clavering, he was a Person with whom I had the most intimate Acquaintance.

Then the Lord Viscount Stormont read a further Extract from the same Book, as follows :

“ It was not without some Difficulty that I obtained Permission to inform the Governor General and Sir John Clavering of this material Circumstance; and that only upon Condition that they should not trust it to the Records of the Company, however secret they might be.”

The Lord Viscount Stormont said :

“ That was the express Condition.”

And then the Lord Viscount Stormont proceeded to read a further Extract, from the same Book, as follows :

“ The Opinions which those Gentlemen must form, as to the Authenticity of the Facts which I now propose myself the Honour of laying before you, will be a sufficient Justification of me for addressing you in this Letter.

“ It appears by the Information to which I allude, that Monsieur Sartine, Minister de la Marine of France, has concerted with Three or Four of the principal Ministers of that Country, a Scheme, the Object of which is the total Overthrow of the English Interests in India; that he was sensible, the Force which France could herself bring against our Settlements would prove insufficient for so great an Undertaking, and had therefore thought it necessary to the Completion of his Views, to begin by intriguing with the Country Powers, and by endeavouring to secure them in the Interests of France, in Opposition to those of Great Britain—That, for the Purpose, * Sic in Orig. it was resolved to send a Person to India, with full Powers, in the Character of Agent; and likewise to send out Persons who in the Information are called † Des Exerceurs, to discipline the Natives of India, and a considerable Quantity of Arms and Military Stores. The Person who was nominated to this Office was described to me as One who had before been in India. He was to go to Pondicherry first, but to assume no public Character, that he might not be subjected to the Suspicions of the English. He is furnished with Letters from the Court of France to all the Country Princes of any Note in India, to be used at his own Discretion. He likewise carries out Presents of considerable Value, which he is to distribute as he may judge necessary. The Substance of his Instructions are as follows: To treat with such of the Country Powers as he may have Reason to think will most readily assist the Views of France, and to form Alliances with them in the Name of the King of France. To endeavour to persuade the Country Powers to fall upon the English Settlements; and he is authorized to promise such as will accede to his Proposal, the warmest Support of his Nation, secretly, till Hostilities are actually commenced, and then openly. He is warned however, in his Instructions, that France is not to take the Lead in the War, but is to come in as an Assistant only. The Person from whom I learn these Particulars knows for certain that the Agent sailed from Marseilles, in the Beginning of April last, but was unac-

unacquainted with his Name, and unable to inform me for certain what Road he had followed to India, but seemed to be of Opinion, that he must have passed over to Alexandria, in the Intention of embarking at Suez for India.”

Then the Lord Viscount Stormont proceeded in his Evidence, as follows :

“ This, my Lords, I think, as far as I can speak upon so distant a Memory, to be the very Language I held ;—but certain I am (which is the only material Part) that it is perfectly correct and true as to the Substance of the Information I gave.”

The Counsel for the Defendant informed the House, That the Letter from which the above-mentioned Extracts were read, was entered in Book 76 on the Bengal Secret Consultations.

The above Extracts were accordingly read from Book 76, already delivered in, from a Consultation of the 2d of February 1778.

“ Present,
The Honble. Warren Hastings, Governor General, President ;
Richard Barwell, } Esquires.”
Philip Francis, }
Edward Wheler, } (a)

The Counsel for the Defendant informed the House, They should next proceed to lay before the House Evidence relative to the First Demand of Five Lacks of Rupees from the Rajah Cheit Sing, in the Year 1778, charged to have been made through Malice, and under Pretence of a War in India, of which the Defendant had not any authentic Accounts.

Read, from Book 13, already delivered in, the following Extract of a Consultation of the 7th of July 1778, beginning at Page 236 of the same Book.

“ Fort William, 7th July 1778.

Secret Dept.,
Thursday.

“ At a Council ; Present,
The Honourable Warren Hastings, Governor General ;
Richard Barwell, } Esquires.
Philip Francis, }
Edward Wheler, }

Mr. Baldwin
at Cairo.
War between
France and
England.

“ Honourable Sir, and Sirs,

“ In my Quality of Agent to the Honourable the East India Company, it may seem incumbent upon me to communicate to their Presidencies in India any Intelligence which may affect their Interest or Safety ; but I am in no Doubt, in the present Crisis of public Affairs, of its being my Duty as an Englishman ; I therefore have the Honor to lay before your Honble. Board, a Sequel of the Advices arrived since the Departure of Captain Thirtleton on the 7th of April from Suez.

“ On the 27th following I received an Express from my Agent at Alexandria, dated Alexandria the 25th of April 1778, containing the following Advice, viz.

“ Last Night came to an Anchor in this Port, a Venetian Ship under the Command of Captain Tanabochia, being only Nine Days upon his Passage from Coron, in Mocca, who brings Advice, That before his Departure from Coron a French Tartan came in there with public Dispatches for the French Consul, intimating the Declaration of War with England, and that an English Squadron had fell in with and taken Twenty-eight Sail of French Ships laden with Warlike Stores for America. The French Merchants have received the same Intelligence at the same Time, and I thought it too consonant to the Situation of Public Affairs not to take proper Notice of it. Captain Pruett was that Day going to Suez in order to depart, and I thought it right to present him with the following Letter ; viz.

“ To Lieutenant Ashuread Pruett.

“ Sir,

“ I have just received Intelligence from Alexandria, dated the 25th Instant, to the following Purport : (Here was inserted the Copy of the before mentioned Paragraph.)

“ Now, Sir, as this Intelligence seems more than probable, and a Confirmation or Contradiction may arrive in the Course of a Week, you may think it your Duty to retard your proposed Departure, in order to convey Information of such Importance to the Company’s Affairs into India, it is mine to offer it to your Consideration.

‘ All the latest Advices from Europe gave us the best founded Expectation of such an Event, and the unusual Delay of some expected Merchant Ships from Marseilles, give us room to conjecture that an Embargo may have been laid upon all Shipping for the Purposes of the War. In order to get the best Eclaircissements possible of the Intelligence brought by the Venetian Captain, and to gain Time, if his Report should be true, I shall immediately detach a Message to Alexandria, with Directions to my Agents there, to entreat the Venetian Captain to make a regular Deposition of the Advice he brings, to affirm it in the Presence of Witnesses, and to send it to me immediately. The Messenger will be back in Seven Days.

‘ I dare not venture my Opinion, whether the Service may be an acceptable one or not to the Honble. Company, since I met with such a Disappointment in the Event of my best meant Exertions in their Service last Year; but at all Events the Public will receive a Benefit from it, and Public Good is the Object which employs me in the present Address.

‘ Cairo, 27th April 1778.

‘ I am, &c.

George Baldwin.’

“ Mr. Pruen answered me, that he would postpone his Departure from Suez until the Return of the Express from Alexandria, and I dispatched the Messenger the same Moment. In Five Days more a more important Messenger arrived to the French. On the Second of May, in the Evening, being in Conversation at a French House where most of the French Gentlemen assemble, Letters were brought in express from Alexandria, and distributed severally as they were addressed. Monsi. Noel Olive, a young Gentleman, was the first that had perused the Advices, and upon being asked impatiently by the Count de Stanlefort, next to whom I sat, what was the News, Monsi. Olive made Answer, greatly agitated in his Spirits, that the Tartan was arrived from Marseilles, bringing Advice that the War was declared at Paris on the 30th of March against England. The Count turned to me, saying, he was extremely sorry, and we mutually exchanged our Wishes that it might not be of long Duration. I mention this to prove that I could not have been mistaken in my Comprehension of Monsi. Olive’s Intelligence; it merited, notwithstanding, some closer Enquiry, and I have discovered, from unquestionable Authority, that the State of Things are really as follows; viz. ‘ The Court of France, predetermined to break with England, or seeing a War inevitable, issued Orders to the Chamber of Commerce at Marseilles, to dispatch Tartans to all the Ports in the Mediterranean, directing the Consuls to put all their Subjects upon their Guard. That on the 26th of March the Tartan sailed from Marseilles with these Orders, and her Progress has since been to Algiers, Tunis, Tripoly, and Malta, and lastly at Alexandria. The Captain of the Tartan reports, That being at Malta on the 16th of April, a Courier arrived there with Advice of the Declaration of War at Paris on the 30th of March. The French Merchants of Cairo want to conceal this Advice, but the many concurring Circumstances make it too strong a Presumption not to give it the most implicit Credit.’ The private Advices obtained by indirect Means from the French Merchants themselves, confirm all these Reports; and say more, that the Government at Marseilles had sequestered Two English Vessels then in that Port, and had made the Crews Prisoners. But as strong a Confirmation as any is, in a private Letter from the most capital House of Marseilles to a French Merchant here; it is dated the 25th of March. I read it; it says thus, ‘ By the Courier just come in from Paris we receive Assurances that Lord Stormont has been recalled, and that England declared War against France on the 18th current, in Consequence of which Advice the Mahon Packet Boat made Sail immediately for Mahon.’ This I attest to upon Oath, and that every Circumstance herein recited is the Report of the French themselves; the Arrival of the Tartan is manifest to all the World. To add however Weight to these Assertions, and to give such a Degree of Authenticity to an Intelligence which may so deeply affect the Councils of all India, as seems proportioned to, or rather necessary to its Importance, I have entreated the English Gentlemen, fortunately at present in Cairo, to subscribe to the following Opinion; viz.

‘ That many of us were present on the 2d instant May, at the Conversation when the French Advices arrived; that we have severally heard the above Reports confirmed from different People; that it is the firm Opinion of every one of us, that the War is unquestionably declared, and that it is for the Interest of the Nation that the Intelligence should be conveyed to India as expeditiously as possible.’

“ Cairo, 4th May 1778.

Signed,

John Shaw, who can affirm to this
by Letters from Alexandria
and Leghorn.

Ja^s Home,
M. H. Graves,
Will^m Browne,
W^m Barrington,
Ja^s Sutherland,
James Amos,
George Skipp,
Rich^d Hughes.

“ With

" With the above Authority I trust, Honble. Sir, and Sirs, you will justify my Zeal in hastening away this Dispatch. I have only another Observation to make which leads to the general Conclusion, that the Merchant Ships expected from Marseilles have suspended their Voyages, and confirm my Conjectures of the Embargo laid upon the Shipping there. This considered with the other weighty Circumstances have determined me not to wait the Return of the Express from Alexandria: Five Ships are at Suez by whom any momentous Intelligence can be conveyed if
* Sic in Orig. I should receive Orders, or the * Emfgency should require it. I entreat the Honor of your Protection, and subscribe most respectfully, &c.

" Cairo, 4th May 1778.

Geo. Baldwin.

" Postscript.

" While the above Dispatches were closing, came in the Return of my Express from Alexandria, bringing with him Letters arrived by a French Vessel from Leghorn, dated the 9th April.

" The Venetian Captain has wrote me a Letter, in which he confirms Word for Word the Intelligence handed me by my Agent, as inserted in the First Part of this Dispatch. My Agent further writes me, ' That upon the Arrival of the Tartan at Alexandria, the French Consul assembled all the French Subjects there, and communicated to them the Orders of his Court, which consisted in informing them that they were to guard against the English Ships at Sea, who they were thenceforward to consider as their open Enemies.' (a)

(Signed at the End of the Postscript)

" Geo. Baldwin.

(And at the End of the Consultation)

" Warren Hastings,
Rich^d Barwell,
P. Francis,
Edw^d Wheler."

To prove the Transmits of the Intelligence of War from the Two other Presidencies of Madras and Bombay,

Read, a further Extract from the same Consultation, beginning at Page 243 of the same Book.

" Fort St. George.

" Honble. Sir, and Sirs,

" The Company's Ship Morning Star is just arrived from Bombay with a Letter from the President and Council there, enclosing Accounts from Mr. Baldwin at Cairo, by which we are advised that War was actually declared by Great Britain against France on the 18th March last, and by France against Great Britain on the 30th of that Month. The Gentlemen at Bombay inform us that they have sent the same Advices to you by the Morning Star, we shall not therefore detain the Vessel to send you a Copy of what we have received, but will transmit Copies to you by the Osterly and Grosvenor, which will sail for Bengal To-morrow. (b)

(Signed at the End of the Letter)

" Fort St. George,
the 25th June 1778.

Tho^s Rumbold, &c. Council."

Read, also, further Extract from same Consultation, beginning at Page 235 of the same Book.

Bombay.

" Gentlemen,

" We dispatch the Company's Vessel the Morning Star express to convey to you a Packet this Day received from Mr. Baldwin at Grand Cairo; and for greater Security we also transmit Copy of his Letter to us, received at the same Time, containing Intelligence next to a Certainty of War being declared between France and Great Britain.

" By this Vessel we have sent Advices of the same Import to the Presidency of Madras, and Sir Edward Vernon. (c)

(Signed at the End of the Letter)

" Bombay Castle,
12th June 1778.

W^m Hornby,
&c. Council."

(a) Vide Appendix, N^o CCXVII.

(b) Vide Appendix, ibid.

(c) Vide Appendix, ibid.

To prove the Measures unanimously resolved on by the Board in consequence, and that the same were general Measures of Provision against Hostilities,

Read, a further Extract from the same Consultation, beginning at Page 245 of the same Book.

" As the Truth of the Intelligence contained in the above Letter from Mr. Baldwin at Suez is not to be doubted, and as it must be soon followed with an authentic Confirmation of the Fact, the Board judge it necessary to take their Measures immediately upon it: They are of Opinion, that the most effectual Step for guarding against any hostile Designs of the French in India, would be to take immediate Possession of Pondicherry; a Step so obvious, that they entertain very sanguine Hopes, that the President and Council at Fort St George will have already resolved to carry it into Execution; but, lest they should not, it is unanimously agreed, that it be strongly recommended to them to order a proper Force to march directly towards Pondicherry, and to prepare to take Possession of that Place on the Instant that they shall receive a Confirmation of the News of a Rupture between France and England.

To prepare to
attack Pondi-
cherry.

" The Governor General informs the Board, that he has been advised, by several Letters received from Mr. Rumbold, that Hyder Ally Cawn had very urgently solicited an Alliance with the Company by repeated Letters, and a Person of Trust expressly deputed to him for that Purpose. As it is a Point of very great Importance to take the most early Means for securing the Friendship of Hyder Ally, and to prevent the French from engaging him in their Interests, the Governor General submits to the Board the Propriety of recommending this Measure in very earnest Terms to the President and Council of Fort St George. A Treaty already subsists betwixt the Company and Hyder Ally, to which he thinks that the President and Council of Fort St George may be instructed to join such additional Conditions as will serve to cement a good Understanding with him, and to insure his Assistance; but carefully to avoid any Engagements which might draw their Forces from the immediate Protection of the Company's Possessions, and of the Payen-gaut.

To form an
Alliance with
Hyder Ally.

" Agreed to the Measure above recommended by the Governor General; and

" Resolved, that the following Letter be immediately written and dispatched to Fort St. George.

" Gentlemen,

To Fort St.
George.

" We have just received your Letter of the 25th June, by the Morning Star.

" We have also received, by the same Conveyance, Letters from the President and Council at Bombay, and from Mr. George Baldwin at Grand Cairo, informing us that a War has been declared between France and England.

" As the Intelligence communicated by Mr. Baldwin is too well authenticated to leave any Doubt of the Truth of it, we expect that it will soon be confirmed by Authority; in the mean Time, however, it is our Duty to be active in preparing Measures to guard against the Designs of the French in India: The first and most effectual Means of preventing the ill Consequences of them will certainly be to take immediate Possession of Pondicherry. We therefore earnestly recommend it to you to march a proper Force for that Service directly towards Pondicherry, and hold them in Readiness to attack that Place the Instant the News of the War shall be confirmed.

" The utmost Secrecy should be observed on this Occasion; and we have no Doubt that you will take every Precaution to maintain it.

" We understand that the Nabob Hyder Ally has urgently solicited an Alliance with the Company by repeated Applications to your President. As we deem it a Point of very great Importance to take the most early Means to secure the Friendship of this Chief, and to prevent the French from engaging him in their Interests, we strongly recommend it to you, to negotiate and conclude such Conditions with Hyder Ally, in Addition to the present Treaty subsisting between you, as may serve to cement a good Understanding with him, and to insure his Assistance in case of Necessity, carefully avoiding any Engagements that may draw the Company's Forces from the immediate Protection of their own Possessions, and of the Payen-gaut. (a)

" Fort William, the 7th July 1778."

" We are, &c.

(a) Vide Appendix, N° CCXVII.

Read, from Book 13, already delivered in, the following Consultation of the 9th July 1778, beginning at Page 1 of the same Book.

" Fort William, the 9th July 1778 "

Secret Dep.
Thursday.

At a Council ; Present,
The Honourable Warren Hastings, Governor General, President ;
Richard Barwell, }
Philip Francis, } Esquires.
Edward Wheeler, }

" Read the Proceedings of the 7th instant.

" The Governor General having sent the following Note to the Secretary on the Evening of the 7th instant, it was immediately sent round to the other Members of the Board, and the Meeting of the Council postponed accordingly till this Morning :

" Sir,

The Gov. Gen.
to the Secre-
tary.

" Fearing that the Shortness of Time will not admit of my being prepared for the proposed Meeting of the Council To-morrow, I desire that you will inform the Gentlemen of the Board, that it is my Wish to postpone it, with their Permission, to Thursday.

" I am, &c.

" J. P. Auriol Esq."

(Signed)

Warren Hastings."

" The Governor General delivers in the following Minute :

Governor Ge-
neral's Mi-
nute.

" I state the War with France as a Fact of undoubted Certainty. It is the Part of this Govern-ment to consider in what Manner it is likely to affect the British Possessions in India, and to provide accordingly for their Security. This must comprise and limit all our Operations. In the View of the opening Scene, the relative Conditions of the Parties engaged in it will merit our first Attention, and cannot fail to engage it by the striking Contrast which appears between them ; and I mention it because I think it an essential Point in the Consideration of our first, and perhaps our future Measures.

" Great as the Power is which the British Nation has acquired in India, compared with that of its Rival, its general Line of Action is and must be purely defensive. It can gain, the French lose nothing. Even the Capture of Pondicherry, and of the other Possessions of the French, will yield no positive Advantage to the English, although it will deprive the French of their Instruments of Attack, and thereby affect our own Safety.

" From this Point, therefore, all our Conclusions must originate, and all our Measures be so laid as to obviate or to oppose the probable Designs of our Enemies. Their first Attempts will be against Bombay or Fort St. George. Bengal will be their last, at least their distant Object.

" The Presidency of Fort St. George possesses in itself the complete Means of Defence. We can add nothing to them, but in the Effects of our political Arrangements. We have always yielded it a large Supply of Treasure. It requires no other present Aid.

" Bombay requires every Thing. Weak in itself, and entangled rather than strengthened by its dissipated Possessions on the Continent, it can only defend itself against a direct Invasion ; and to that it is perhaps equal, if it has to contend with the French alone ; but this is unlikely. The last Advices from Poona contain such Evidence as the Event itself must soon refute or realize, of an Engagement actually made by the French Minister there to bring a large Military Force to Poona, professedly designed to act with that Government against Ragoba, who at that Time resided at Bombay, under the English Protection.

" In Effect, this is the obvious Policy which the French ought to adopt, if they seek to regain their Influence in India, and it is no longer to be doubted that they have adopted it. They have besides an ancient Claim to the Alliance of Nizam Ally, which is injured by their incidental Union in a common Cause, the Defence of the ruling Administration at Poona, of which his Letters to Mr. Rumbold and the Nabob of Arcot afford an undoubted Proof.

" It is then certain that the French mean to establish a firm Interest at Poona. It is probable that they will effect it. The Consequences may be the Attack of Bombay, or, without it, the Re-union of the vast Powers of the Maratta State under its present Government, strengthened by so formidable an Alliance ; and a predatory War brought by their united Force into the Dominions of our Ally the Nabob of Oud, or even into the Heart of our own.

" To guard against such Consequences ought, in my Opinion, to be our first Object, both for the immediate Defence of Bombay, and the further Security of Bengal. We cannot send succours directly to Bombay. If Bombay should be attacked by the French unsupported by a Maratta Alliance, I have already said that I hope its present Force is equal to its Defence : But if it should be attacked, or in certain Danger of being attacked, by the French and Marattas in Alliance, an offensive War must be undertaken in Defence of Bombay.

" The Detachment under Colonel Leslie may be employed in this Service. It can be spared without Danger to Bengal, which is secure from a present Invasion, and can soon be replaced. But it consists of a Force too inconsiderable to engage singly in such a Contest. Unless it can be assisted by an Ally equal in Power, or so nearly equal to that of the Peshwa, as to give our united Strength a Degree of Superiority over the Combination to which it would be opposed, the Undertaking would be too hazardous. Modajee Boosla, the Chief of Berar, answers to this Description. His Family has always borne a considerable Rank among the Powers of India. His Father, Ragojee, subjected the

the Provinces of Bengal to the Chout, under the Government of the most able Chief that ever ruled them. His elder Brother, Jannoagee, attacked and burnt the City of Poona at a Time when the Power of the Peshwas far exceeded its present State, and the Maratta Constitution respecting Berar was undivided. His Dominions extend from the Sea Coast of Orissa, and from the Western Borders of Bengal, to the Neighbourhood of Aurengabad. His Revenues, though not proportionate to their Magnitude, is * considerable, and his standing Forces are numerous, exclusive of the Militia, which, in all the Maratta States, is always ready to join the regular Armies when they take the Field. While the Contest prevailed between Ragonaut Row and the Ministerial Party, Moodajee sided with the former, his Brother with the latter. This Conduct drew on him the Resentment of the Ministers, who, as soon as they were freed, by the Interposition of this Government, from the Dread of their great Competitor, encouraged and supported the Nabob Nizam Ally Cawn, in an Invasion of his Country, which at that Time had not yet recovered from the Distractions occasioned by the Contention between the Two Brothers. On this Occasion he was glad to purchase a Peace of Nizam Ally Cawn, with the Loss of some Forts of Consequence, the Remembrance of which he still retains, with a Determination to avail himself of the First Opportunity to reclaim them. • Sic in Orig.

“ As the Provinces which are now united under the Government of Berar are a constitutional Part of the Maratta Empire, a natural Enmity must ever subsist between them who possess the Sovereign Authority, and the Rulers of Berar; the former looking to the Recovery of their unalienable Rights, the latter jealous of their Independency. Thus Moodajee may be considered as the certain Enemy of the Peshwa, into whatever Hands the fluctuating State of the Parties at Poona may throw his Administration. But a late Event has given Moodajee Pretensions to a Rank even more elevated than that of the Peshwa. I need not inform the Board, that the Power which the Peshwa possessed for about Forty Years past, is an Usurpation on the Sovereign Authority vested by the Constitution in the Raja. Raja Sâboo, the last who retained it, having no Children, adopted Moodajee Boosla, and, as I am informed, designed him for his Successor. But Ballajee, the Peshwa or Prime Minister, had the Art to deprive Moodajee of the Benefit of this Intention, and to transfer the Inheritance to Ram Raja, who was also an adopted Son of Rajo Sâboo, and an Infant at his Death. Ragoojee, the Father of Moodajee, instantly marched to Poona with a formidable Army, and by a Negotiation of a Day, obtained, for the Surrender of his Son's actual Pretensions, a large Accession of Territory and other Advantages, still reserving a future Claim to the Rajaship, and refusing to commit himself by any formal Deed in an Acknowledgement of the Title of Ram Raja. From that Time the Grandeur of his Family may be dated. Ragoojee continued to authenticate all his public Acts by the Name of Sâboo Raja; and on the Seals which have been affixed to all the Letters which I have received from Shabajee Boosla, and even since his Death from his Brother Moodajee, they are styled the Vassals of Sâboo Raja. I know not with Certainty what are Moodajee's present Views. Ram Raja died in December last, and the Succession is either still vacant or but lately filled. Moodajee's Rights are still in force, and unquestionably superior to any other.

“ I must suspend the Thread of this Narrative to relate a Transaction which brings it nearer to the Concerns of this Government. An Alliance with the Boosla Family has been long its Object, and considerable Advances were made to the Attainment of it in the Administration of Lord Clive. In the latter End of the Year 1773, Shabajee Boosla sent a Vakeel to me with Letters containing general Professions of Attachment, but expressed with such Warmth as induced me to aim at a formal Connection with him. Finding the Vakeel an intelligent Man, I sent him back with a Plan for that Purpose. Unfortunately Shabajee fell by the Hands of his Brother. But Moodajee himself soon after adopting his Brother's Line, again deputed the same Vakeel to Calcutta; but many Causes, which it is unnecessary to enumerate, prevented me from improving the Disposition of this Chief. A constant Intercourse of Letters, and in some Degree confidential, has been kept up between us. On a false Rumour of the Death of Ram Raja, foreseeing the Use which might be made of this new Diversion in the Maratta Policy, I employed the Agency of the Vakeel to excite the Ambition of Moodajee to aspire to the Sovereign Authority, which such an Event, then probable at least from the infirm state of the Raja, and the Distractions at Poona, seemed to present to him; and I intimated the same Advice in a Letter which I wrote at the same Time to Dewargur Pundit, the Minister of Moodajee Boosla, and the Man whose Counsels have long guided the Affairs of that Government. While these Letters were on their Way, the Raja died: No Answers were given, for the Purport required none, but every Letter since received from Moodajee and his Dewan has repeatedly and urgently pressed the Dismissal of the Vakeel, for the Purpose, as expressed, of communicating with him on Affairs of the greatest Importance. The Vakeel is at this Time with Colonel Leslie.

“ From these Facts it will appear, that Moodajee Boosla is by Interest and Inclination likely to join in an Alliance with this Government, and that Two Advantages may be offered to him as the Inducements to it. * The First is the Support of his Pretensions to the Sovereign Power; the Second, the Recovery of the Captures made on his Dominions by Nizam Ally. On our Parts we shall possess a powerful Barrier on our Frontier; an Alliance which may counterbalance, and if properly managed, may totally overthrow the present Power of the Maratta State, and give us a lasting Ascendant in its Operations, and for ever dissipate all the Designs which the French have at this Time so wisely, and hitherto successfully, concerted for their Aggrandizement and our Destruction.

A more fortunate Concurrence of Events could scarcely have been conceived, than those which appear of themselves to draw the Two States of Berar and Bengal into a decided and lasting Union by the powerful Bonds of common Interest and common Danger. The Poona Government is the natural Enemy of Moodajee. It is ours by their Connection with our natural and declared Enemy, the French. Nizam Ally is the declared Enemy of both, and the Contiguity of our respective Territories, in the wildest and least valuable Parts of both, and of Course the least subject to Competition and Incroachment, renders them important and essential to the Strength of both.

“ On these Grounds I recommend that a Company’s civil Servant be deputed to Moodajee Boosla, with full Power to form a Treaty of Alliance between that Chief and the Company, on the Terms herein above stated. These may be hereafter detailed in his Instructions.

“ The Governor General.—It was my Intention, had the Time permitted it, to have extended the above Minute into other Details, immediately required for the internal Defence of these Provinces. I can now only state those which are most urgent in short Propositions. The Reasons, if necessary, may be given separately.

“ 1st. I propose that three additional Battalions of Sepoys be immediately formed upon the Plan recommended by General Stibbert.

“ 2dly. That Rajah Cheit Sing be required in Form to contribute his Share of the Burthen of the present War, by consenting to the Establishment of Three regular Battalions of Sepoys, to be raised and maintained at his Expence.

“ 3dly. That the Militia Corps be re-established for the Defence of the City of Calcutta, and for this Purpose, if it shall be found necessary hereafter, I would further recommend, that the Commissioner of Law Suits, with the Assistance of the Company’s Attorney and Standing Council, be instructed to prepare a Bill for its legal Incorporation.

“ 4thly. That the Master Attendant be directed to consult some of the most able Seamen of this Port, upon the Means of forming such an Addition to our Marine Establishment, as may be most effectual for the Communication of immediate Intelligence of the Approach of an Enemy’s Fleet, or single Ships of War, and for cutting away the Buoys, and using such other Precautions as may be necessary for guarding this Port and its Commerce against the Effects of a Surprise.

“ 5thly. That the Opinion of the Chief Engineer be also taken with respect to the other Means which may be necessary to prevent or impede the Progress of an Enemy by the Entrance of the River.

“ 6thly. That the Commander in Chief be requested to furnish the Board with such a general Plan of Defence as he shall judge necessary, in Addition to the present Disposition of our Army, and in the Supposition that the Detachment now employed under Colonel Leslie may not return for a Length of Time into the Provinces, and to attend the Board with it when prepared.

“ 7thly. The Proposition with which I shall now conclude, I offer with much Diffidence and Hesitation. It has been the constant Subject of my Thoughts since our last Meeting, and, though I now incline to recommend it, I see the Objections to it in so strong a Light, as added perhaps to those which may be suggested by other Members of the Board, may induce me to change it; but I will briefly state it. The War having been notified to us, though not by Authority, yet confirmed by Evidence of such Strength as to amount to a Degree of Certainty next to absolute, shall we proceed upon it as upon the Grounds of a War declared and notified in all its Forms? Or shall we wait the Confirmation of it, which it is probable we may not receive for this Month or Six Weeks yet to come? The Consequence of our Determination on this Question, if in the Affirmative, will be instantly to detach a Military Force to guard the Approaches of Chandernagore, to demand the Surrender of that Town, and to appoint Commissaries to take Possession of the public Stores, Shipping, and private Effects of the Inhabitants. This combined Question I propose for the Determination of the Board.

“ The First Question being considered, is agreed to.

“ Ordered, That the Secretary to the Military Department do prepare and lay before the Board an Estimate of the Expence of the above Augmentation, and of that which will arise from the Increase of Men to the present Establishment lately ordered by the Military Department.

“ The Second Question considered.

“ Mr. Francis.—On the Supposition that the Detachment now employed under Colonel Leslie will not return for a Length of Time into the Provinces, I acquiesce in the Proposal relative to Raja Cheit Sing; but I think he should be informed that this additional Charge will not be imposed on him beyond the Continuance of the present War.

“ The Governor General.—The Qualification proposed by Mr. Francis is consonant to my Intention in the Question, and is implied in it. I should have no Objection to it’s being expressed in an additional Clause.

“ That our Resolution upon this Subject may be unanimous, I agreed to add to the Question the following Words, “ and to be disbanded at the End of the War;” but perceiving that the Difference in our Opinion upon the Subject arises not from a Disagreement respecting the Requisition simply considered by itself, but from a different Understanding of the Right of the Company to exact, under any Pressure of Affairs, more than the Sum stipulated by the Sunnud granted

Three additional Battalions.

Rajah Cheit Sing to raise Three Battalions.

granted to Cheyt Sing, and the Cubbooleat given by him in return, I must adhere to the Question as it stands, wishing to avoid the Question of Right. If, however, we cannot agree upon the Point, still I would wish to have the Requisition made in the Words of the Question, and leave the Decision of future Right to our Superiors.

“ Mr. Wheler.—Wishing to avoid the Question of Right, I acquiesce in the Motion; but I think it should be qualified in the Manner proposed by Mr. Francis.

“ Mr. Barwell.—An Acquisition of Revenue and Military Force I suppose to have been annexed to the Grant of the Zemindarry of Benares and Gauzipore to the Company. Any military Establishment, independent of the English Administration, in the Heart of the Company's Dominions, may in the Time of Danger be turned against those Interests which, under another Policy, it would protect. I have long regarded the Military Establishment of Benares under the Rajah's native Officers, and not subject to the Discipline, Command, and Regulation of our own Battalions, as a Defect; I therefore most heartily agree to the present Proposal, for Three disciplined Battalions to be kept up, and paid by the Rajah, and sincerely hope the Company will direct, that the whole Force of Benares and Gauzipoor, under the Zemindar, be placed upon the same Footing as the regular Military Force of the Presidency.

“ The Governor General.—I agree to the Question in the original Form of it, deeming it a Right inherent in every Government to impose such Assessments as it judges expedient for the common Service and Protection of all its Subjects, and we are not precluded from it by any Agreement subsisting between the Raja and this Government.

“ Resolved, That Rajah Cheit Sing be required in Form to contribute his Share of the Burthen of the present War, by the Establishment of Three regular Battalions of Sepoys, to be raised and maintained at his Expence, and the Governor General is to write to him to that Effect.

“ The Board agree to the Third Question.

“ To the Fourth Agreed. }

“ Agreed to the Fifth. }

Orders are accordingly issued by the Secretary.

“ To the Sixth agreed. The following Letter is accordingly written to the Commander in Chief.

“ To Brigadier General Stibbert, Commander in Chief, &c. &c. &c.

“ Sir,

“ Having received Intelligence, which we deem certain, that War has been declared between France and England, we think it proper to take the earliest Means to provide for the Safety and Defence of these Provinces. We have already agreed to raise and form Three additional Battalions of Sepoys upon the Plan recommended by you. We propose that Raja Cheit Sing should be required to entertain Three regular Battalions at his Expence, for his Part of the Burthen of the War, and we shall immediately give Orders for re-establishing the Militia Corps for the Defence of the City of Calcutta.

“ We have thought it necessary to acquaint you with the Preliminaries, and we now request that you will furnish us with such a general Plan of Defence as you shall judge advisable, in Addition to the present Disposition of our Army, and on the Supposition that the Detachment now employed under Colonel Leslie will not return for a Length of Time into the Provinces. When the same shall be completed, you will be pleased to notify it to us, that we may appoint a Day for your Attendance with it in Council.

“ Fort William, 9th July 1778.

We are, &c.

“ The Seventh Question is resolved in the Affirmative: And

“ Agreed, That Lieutenant Colonel Dow the Commanding Officer at Burruchpoor, be immediately ordered to station Guards or Detachments of Sepoys on the Road leading to Chandernagore, with Orders to prevent the Transportation of any Goods or Effects from thence, and that he demand of Mr. Chevalier, the Commandant of Chandernagore, the Surrender of the Town, Shipping, Stores, and all other Effects, both public and private, into his Hands.

“ Resolved, That the Quarter Master General be directed to furnish Lieutenant Colonel Dow immediately such Boats as he may require by Indent for this Service.

Resolved also, That Mr. Leonard Collings be appointed Commissary to receive all such Goods and Effects belonging to the French at Chandernagore as Lieutenant Colonel Dow shall consign to his Charge, and that he be directed to form an Inventory of the Whole, as soon as possible, and transmit a Copy thereof to the Board.

“ Agreed, That Mr. Collings be permitted to take with him any Writer in the Company's Service, who may, at this Time, be unemployed, if he should require a Person to assist him.

“ Resolved, That the following Instructions be immediately issued to Lieutenant Colonel Dow.

Militia established.
Marine additional.
Engineer to be consulted.

To the Commander in Chief.

Chandernagore to be seized.

Mr. Leonard Collings to be appointed Commissary.

" To Lieutenant Colonel Alexander Dow, commanding the Troops at Burruckpore.

" Sir,

Instructions to
Lieutenant
Colonel Dow
for investing
Chanderna-
gore.

" In consequence of a Declaration of War, which has been made between France and England, in London on the 18th March, and in Paris on the 30th March 1777, We do hereby order and command you immediately to station Guards or Detachments of Sepoys on the Roads leading to Chandernagore, with Orders to prevent the Transportation of any Goods or Effects from thence, and to demand from Mr. Chevalier, the Commandant at Chandernagore, the Surrender of the Town, Shipping, Stores, and all other Effects, both public and private, into your Hands. You will permit the Commandant, and such of the Inhabitants as will pass their Parole, to remain in quiet Possession of their Houses, and make Prisoners of them who shall refuse or evade it.

" In case of a Refusal to surrender the Town, Shipping, and Effects, as demanded, you will take Possession immediately by Force.

" You will be furnished with an Order to the Quarter Master General to supply you immediately with such Boats as you may require from him by Indent, for crossing the Troops over the River, for taking Possession of the Ships, and such other Services as may demand the Employment of Boats for the Execution of these Orders.

" As it is not likely, from the defenceless State of Chandernagore, that any Opposition should be attempted, we recommend it to you to shew all possible Lenity and Tenderneis to the Inhabitants in the Execution of these Orders, which however must be executed without any Delay or Reservation for further Instructions.

" We have appointed Mr. Leonard Collings, a Commissary, to take Charge of the Stores and Effects which may be delivered up to you. We therefore desire that you will cause them to be made over to him.

" Fort William, 9th July 1778.

We are, &c.

" Agreed, That Captain Robinson of the Star Armed Vessel do immediately proceed down the River, to seize all the French Vessels and Pilots which he may be able to find, and bring them to Calcutta.

" The following Letter is therefore written to him by the Secretary.

" To Captain Robinson, Commander of the Morning Star.

Order to Cap-
tain Robinson
to seize the
French Pilots.

" Sir,

" You are hereby directed to proceed down the River with this Tide, to seize all the French Pilot Vessels and Pilots which you may be able to find, and bring them up to Calcutta. A Pilot will be immediately sent on Board you by the Master Attendant, who will furnish you with Orders to him, to point out to you such Pilot Vessels as may be in the Service of the French Nation.

" In the Execution of this Service the utmost Secrecy is to be observed.

" Council Chamber, 9th July 1778.

I am, &c.

" Ordered, That the Master Attendant do immediately send a Pilot on board the Morning Star; that he deliver sealed Instructions into the Hands of Captain Robinson, to convey the Ship down the River, and to point out all the Pilot Sloops or Vessels belonging to the French, that he may see or be able to get Intelligence of in the River.

" Resolved, That Orders be immediately dispatched to the Provincial Councils of Patna, Moorshedabad and Dacca, to take Possession of the French Factories at those Places, with all the Property belonging to that Nation, and to attach the Persons of all the Subjects of the French Nation who shall refuse to pass their Parole.

" The following Circular Letter is accordingly written to Patna.

" Gentlemen,

To Patna.

" In consequence of a Declaration of War which was made by the Court of Great Britain against France, on the 18th March last, and by France against England, on the 30th of the same Month, we do hereby order and command you to send a Military Force to the French Factory, to demand of the Chief the Surrender thereof, with all Stores and other Effects, both public and private, into your Hands. Such of the Inhabitants as will pass their Parole may be permitted to remain in quiet Possession of their Houses; but all the Subjects of France, either within the French Factory, or in other Places within the Limits of your Authority, who shall refuse or evade to give their Parole, are to be seized and made Prisoners.

" In case of a Refusal to deliver up the Factory, &c. as demanded, you will immediately take Possession by Force.

" You will cause an Inventory to be made of all the Effects which shall be delivered up, and transmit a Copy of the same to us, taking proper Care to preserve them untouched.

" Fort William, 9th July 1778.

We are, &c.

" The same to Dacca and Cossimbuzar.

" Resolved,

“ Resolved, That the following Orders be immediately issued to the Commanding Officers of Berhampore and Dinapore :

“ To the Commanding Officer at Burhampore.

“ Sir,

“ You are hereby commanded to pay immediate Obedience to such Orders as you shall herewith receive from the Chief and Council at Moorshedabad.

• “ Fort William, 9th July 1778.

We are, &c.

To the Officers commanding at Dinapore and Berhampore.

“ The same to the Commanding Officer at Dinapore, to obey the Orders received from Patna.

“ There being no Brigade Sepoys at Dacca, an Order to the Commanding Officer of the Militia Corps stationed there similar to the above, as that Corps is immediately under the Direction of the Provincial Council.

“ Resolved, That the following Letter be written to the Dutch and Danish Settlements, and that they be transmitted to Lieutenant Colonel Dow, to be forwarded by him whenever he shall think proper :

“ To the Director and Council at Houghly.

“ Gentlemen,

“ We have received Intelligence too well authenticated to doubt its Veracity, that War was declared by the Court of Great Britain against France on the 18th of March last, and by the Court of France against Great Britain on the 30th of the same Month. We have therefore thought it incumbent on us to take Possession of the Town of Chandernagore, and to attach all the French Property which shall be found in these Provinces ; but as we think it probable that Endeavours will be used by the French to cover their Property under the Marks of Dutch or Danish Colours, to remove with it into the Limits of the Territories of those Nations, we expect, from the Friendship subsisting between your Nation and our's, that you will take effectual Means to discourage and prevent the Success of any Attempts of that Nature.

“ Fort William, 7th July 1778.

We are, &c.

“ The same to Fredricknagore.

“ Warren Hastings,
Richard Barwell,
P. Francis,
Edward Wheler.”

Read, from Book 506, already delivered in, the following Extract of a Consultation of the 4th August 1778, beginning at Page 905 of the same Book.

“ Fort William, 4th August 1778.

“ At a Council ; Present,

The Honourable Warren Hastings Esq. Governor General, President ;

and

Richard Barwell Esquire.

Mess. Francis and Wheler indisposed.

“ Governor General.—When I lately recommended an Augmentation of the Corps of Militia Sepoys at Calcutta to 15 Companies, I meant it as a Part of a general Reformation which the present Season particularly requires, for the Prevention of the Disorders to which the Peace of the Country may be liable from the Distance of our regular Forces, and for the additional Duties which may be committed to the Militia Sepoys in the Time of War. The following are the Establishments which I would recommend for the different Stations of the Provinces, to be all rendered uniform with that recommended by General Stibbert, in his Letter of the 6th April, viz.

For a Corps consisting of 10 Companies.

1 Commandant,	1000 Sepoys,
10 Subadars,	10 Tomtoms and Trumpeters,
1 Subadar, as Adjutant,	3 Sircars,
10 Jemedars,	3 Doctors,
80 Havildars,	4 Armourers, and
80 Naiks,	10 Watermen.

And for the smaller Corps in proportion, as in the Establishment recommended by him in the same Letter, for the Fort of Buxar.

Patna	—	—	—	—	10 Companies.
Buxar (to be hereafter reduced)	—	—	—	—	3 D°.
Boglepore	—	—	—	—	3 D°.
The Division of Dinagepore	—	—	—	—	4 D°.
					Moorshedabad

Moorshedabad	—	—	—	—	10 Companies.
Chittagong : The Battalion complete, on it present Establishment, being	—	—	—	—	10 D°.
Burdwan	—	—	—	—	4 D°.
Calcutta Division	—	—	—	—	15 D°.

When the Establishment is formed, it will be necessary to remand the Three Companies of the Light Infantry from Boglepore to their Corps, which will probably be required to be kept entire, that it may be employed for the Defence of the Provinces.

“ The Dacca Division should furnish the Detachments required for Sylhet, and for all the other Services of the Division, and the Detachments of the Chittagony Battalion be recalled.

“ The Chittagong Battalion should be kept entire for the Defence of that District, for which it will not be more than sufficient; and for the District of Tipperah, a proper Subund may be established in the Room of Two Companies of Sepoys which have been hitherto stationed there.

“ The Battalion of Chittagong, being for the Protection of that District, and from its Distance incapable of Relief, I have inclosed it in the List of Military Establishments, although it is a regular Battalion upon the old Establishment, which, being now revived, I would propose that it be made in all Respects conformable to the Battalions of Brigade Sepoys.

“ I have recommended 15 Companies for the Calcutta Division, which will not be thought disproportionate to the rest, when it is considered that, besides the many Guards and occasional Patrols for this City and its Environs, all Efforts for Treasure sent to the Aurungs by the Board of Trade for Stores of various Kinds dispatched from the Presidency for the Agent of the Military Cloathing, and for many other Services, in which the Militia of the other Stations is rarely employed, are all furnished from this Corps. However, if it be thought too large an Establishment, a Trial may be made with 12 Companies.

“ That the Board may have a complete View of the Expences of this Augmentation, I desire that the Secretary will subjoin a comparative Account of the Expence of the Militia Establishments, including the Battalion at Chittagong, as they stood before the 26th June last, and an Account of the Establishments which I have now recommended.

“ I wish to take the Opinion of the Members of the Board on this Proposition in Circulation, and lay before them, to be sent with this Minute, the following Letter from the Collector of Chittagong relative to the Defence of that District.

Chief of Chittagong to the Governor General.

“ Honourable Sir,

“ As this Province has always been considered open to an Invasion, I think it necessary to apprise you of its Situation at this Period. You must be already acquainted, I presume, that there is a Bar at the Mouth of the River; that it is not sufficient to prevent the Entrance of very large Ships at High Water, and of small at low; and that a Descent may be also made upon the Coast higher up; for although the Land near the Sea Side is intersected with Nullahs and Ditches, they are not of a Nature to prove an Obstruction to the speedy and safe March of a Body of Troops. The French are well acquainted with the Situation of Chittagong, and the People of one of their Ships which called here last Year, were known to have sounded most Part of the River.

“ It does not appear probable that an Enemy who had the Conquest of Bengal in view, would think of landing a Body of Forces, equal to so great a Design, at Chittagong. The Descent of a small Force is more probable, as implying an Object of Importance, and as it might be conducted with the greatest Prospect of Success, at a small Expence of Men or Money. The probable Object may be deemed the Plunder of the Company's Treasure, and the Province; the exciting an Alarm, and procuring a Diversion of the Troops, and the Credit such a successful Invasion would cause in the Eyes of the Natives.

“ Of the Battalion stationed as the Complement, there are only 244 Men within the Province; Sylhet, Tipperah, Luckipore, Sundeep, and Colerida, being at present supplied with Guards from it. Of those remaining the greatest Part are employed on necessary Pieces of Duty; and if, in case of an Invasion, they could be called in, they would be very unfit for entering immediately into an Engagement, as the Battalion has been for more than these last Twelve Months in such a Situation as not to admit of a greater Number being assembled.

“ Two Frigates, with Two or Three hundred Men, would at this Time ensure certain Success to any European Invaders; so that, considering the Defence of the Province an Object of Consequence, an Addition of Three or Four hundred Men should be made to the Establishment, with whom, when well disciplined, the Province might be defended against such an Invasion as I have supposed; at least Time would be given for the Removal of the Treasure; and for the Inhabitants to remove their Effects.

“ As soon as I have any Money in the Treasury, which will be about the Middle of next Month, I shall keep Coolies sufficient, in monthly Pay, to remove it at a Moment's Warning; for the Notice we should obtain of a Vessel or Two in the Harbour would probably not afford me sufficient Time to provide them, since the Distance from the Mouth of the River is only Eight Miles.

“ With

“ With respect to any other Means of Defence, I see none that could be effected without a very heavy Charge. The House of every Inhabitant stands upon a Hill, but there is not One so situated as not to be overlooked by another; at the same Time the Vallies are so covered with Underwood, that any Plan of Defence of this Kind would be insecure, whilst a Plan of Attack would have many Advantages.

“ It may be some Satisfaction to you to be informed, that I have stationed People to give me Notice, by Signals, of any Vessels approaching.

I have the Honor to remain, with much Respect,

Chittagong,
27th July 1778.

Sir, &c.

(Signed)

R^d Sumner.”

“ The Honourable the Governor General.”

“ The same having been sent in Circulation, with the Comparative Account required in the Governor General’s Minute, it is entered, as follows, with the Opinions which have been received on the Subject.

Comparative
Account of
the Expence
of the Militia
Establishment.

“ Comparative Establishments of Militia Sepoys, prior to the 26th June 1778, and proposed by the Governor General, the 4th August 1778.

	Old Establishment, and Monthly Pay.		New Establishment, and Monthly Pay.		Increase per Month.	
	Companies.	Rupees.	Companies.	Rupees.	Companies.	Rupees.
Calcutta	9	6,490	12	8,790		2,300
Moorshedabad	8	5,780	10	7,370		1,590
Dacca	6	4,360	10	7,370		3,010
Patna	9	6,490	10	7,370		880
Burdwan	2	1,472	4	2,960		1,488
Denagepore	2	1,472	4	2,960		1,488
Buxar			3	2,142		2,142
Boglepore			3	2,142		2,142
Chittagong	10	6,580	10	6,580		
Total Son’ Rupees		32,644		47,684		15,040

“ Mr. Francis.—I acquiesce, confining the Augmentation at the Presidency to 12 Companies.

Opinions, and

“ Mess. Barwell and Wheler subscribed to the Opinion of Mr. Francis.

“ Resolved, That the following Establishments of Militia Sepoys be formed for the different Stations of the Provinces, viz.

Resolutions
thereon.

For a Corps consisting of Ten Companies.

1 Commandant,	1000 Sepoys,
10 Subadars,	10 Tomtoms and Trumpeters,
1 Subadar, as Adjutant,	3 Sircars,
10 Jemedars,	3 Doctors,
80 Havildars,	4 Armourers,
80 Naiks,	10 Watermen.

And for the smaller Corps in proportion to the following Establishment, viz.

For a Corps consisting of Three Companies.

1 Subadar, as Adjutant,	300 Sepoys,
3 Subadars,	2 Sircars,
3 Jemedars,	2 Doctors,
18 Havildars,	3 Armourers,
18 Naiks,	3 Watermen.”
3 Tomtoms,	

" Resolved therefore, that the following Establishments be formed at the under-mentioned Stations.

At Patna	—	—	—	—	—	10 Companies.
Buxar (to be hereafter reduced)	—	—	—	—	—	3 D°.
Boglepore	—	—	—	—	—	3 D°.
The Division of Dinagepore	—	—	—	—	—	4 D°.
At Moorshedabad	—	—	—	—	—	10 D°.
" Dacca	—	—	—	—	—	10 D°.
" Burdwan	—	—	—	—	—	4 D°.
" Calcutta Division	—	—	—	—	—	12 D°.
" Chittagong: The Battalion complete on its present Establishment, being	—	—	—	—	—	10 D°.

" Resolved, That when these Establishments are formed, the Three Companies of Light Infantry be remanded from Boglepore to their Corps.

" That the Dacca Division do furnish the Detachments required for Sylhet, and for all the other Services of that Division; and that the Detachments of the Chittagong Battalion be recalled.

" That the Chittagong Battalion be kept entire, for the Defence of that District, and that it be made in all Respects conformable to the Battalions of Brigade Sepoys; and for the District of Tipperah a proper Sebundy to be established in the Room of the Two Companies of Sepoys which have been hitherto stationed there.

Sent to the
Military Secretary;
and circular
Letter in consequence.

L. S. No. 183.

Ordered, That a Copy of these Resolutions be transmitted to the Military Secretary, that the necessary Directions may be issued from the Military Department: And,

" Agreed, That the following Letters be in consequence written.

" To Mr. Alexander Higginson, Chief, &c. Provincial Council of Burdwan.

" Gentlemen,

" We have thought proper to augment the Militia Sepoys stationed at Burdwan to Four Companies.

" Fort William, 4th Aug. 1778.

We are, &c.

" The same to Patna	—	—	—	—	—	10 Companies.
Dinagepore	—	—	—	—	—	4 D°.
Moorshedabad	—	—	—	—	—	10 D°.

" To Mr. James Barton, Collector of Boglepore, &c.

L. S. No. 189.

" Sir,

" We have thought proper to direct, that the Three Companies of Light Infantry, at present under your Orders, be remanded from Boglepore to their Corps, and we have established in their Room Three Companies of Militia Sepoys. The Detachment from Captain Browne's Corps will however continue to remain at your Station until the Militia Corps shall have been formed.

" Fort William, 4th Aug. 1778.

We are, &c."

" To Mr. John Shakespear, Chief, &c. Provincial Council of Dacca.

" Gentlemen,

" We have thought proper to direct that the Establishment of Militia Sepoys stationed at Dacca be augmented to 10 Companies. From this Corps therefore must be furnished the Detachments required for Sylhet, and for all the other Services of your Division.

" Fort William, 4th Aug. 1778.

We are, &c."

L. S. No. 191.

" To Mr. Richard Sumner, Chief of Chittagong.

" Sir,

" The Governor General having laid before us your Letter to him of the 27th ultimo, we have thought proper to direct, that the Battalion of Sepoys stationed at Chittagong be kept entire for the Defence of your District, and that it be made in all Respects conformable to the Battalions of Bengal Sepoys.

" We have further directed, that the Detachments required for Sylhet, and for all the other Services of Dacca Division, be furnished from the Militia Sepoys at that Station; and that the Detachments of the Chittagong Battalion be recalled.

" In the District of Tipperah we direct, that a proper Sebundy be established in the Room of the Two Companies of Sepoys which have been hitherto stationed there.

" We are, &c.

" Fort William,
4th August 1778.

" Warren Hastings,
Rich^d Barwell,
P. Francis,
Edw^d Wheler."

Read,

Read, from Book 13, already delivered in, the following Extract of a Consultation of the 7th July 1778, beginning at Page 249 of the same Book.

“ Fort William, the 7th July 1778.

“ At a Council; Present,
The Honourable Warren Hastings, Governor General,
Richard Barwell,
Philip Francis, } Esquires.
Edward Wheler,

Secret Dep.
Thursday.

“ The Board think it proper, before they proceed any further in the Consideration of this Business, to annul the Letter to Colonel Leslie, prepared Yesterday, and now laid before them for Signature, and to direct him, on the Grounds of the Information now received, to proceed, with the Detachment under his Command, to Berar, a Country on his Road to Bombay, which is, at the same Time, contiguous to Bengal, and convenient for the Return of the Troops, if it should appear expedient to recall them for the Defence of these Provinces. The following Letters are therefore written to Colonel Leslie, and ordered to be dispatched to him this Evening by express Pottamars.

“ Sir,

“ We have received Intelligence, by the Way of Suez, that War was declared by the Court of France against England on the 30th of March last; we think it necessary therefore to give you peremptory Orders to proceed with the Detachment under your Command, by easy Marches, on the Road to Berar, but not to pass beyond that Province, until you shall receive further Instructions from us, notwithstanding any Orders to the contrary which may be sent to you from the President and Council of Bombay.

“ Fort William,
the 7th July 1778.

We are, &c.

(Signed at the End of the Consultation)

“ Warren Hastings,
Rich^d Barwell,
P. Francis,
Edw^d Wheler.” (a)

To shew the Communication made by the Governor General and Council to the Court of Directors, of their having increased their Military Establishment by the Addition of Nine Battalions of Sepoys, and of their having called upon Cheit Sing to furnish Three of them,

Read, from Book 16, already delivered in, the following Extract of a Letter from the Governor General and Council at Fort William to the Court of Directors, dated August 17, 1778, beginning at Page 235 of the same Book.

“ To the Honourable the Court of Directors for Affairs of the Honourable United Company of Merchants of England trading to the East Indies.

“ Honourable Sirs,

Par. 4. “ On the 7th ultimo we received a Letter from Mr. George Baldwin, at Cairo, dated 4th May, acquainting us with the State of Affairs in Europe. He quoted several Authorities and Extracts from private Letters, to prove that Great Britain was at War with France: He added, as Intelligence from undoubted Authority, that Tartans had been dispatched from Marseilles to all the French Ports in the Mediterranean, to caution them against the English as their open Enemies; and he further informed us, that he understood a mutual Declaration of War had been made, in London on the 18th March, and at Paris on the 30th of the same Month. He corroborated all these Informations, by annexing the Testimony of several English Gentlemen at Cairo; that they had not only heard the Reports he alluded to, but believed them to be well founded.

5. “ With such circumstantial Evidence before us, we thought that no Time should be lost in proceeding upon it as Fact, and therefore agreed to take such immediate Measures as we judged necessary for the Security of your Possessions committed to our Charge. We ordered Colonel Leslie, with his Detachment, to halt when he should arrive within the District of Berar, and to wait there for further Orders. We wrote to the Presidency of Fort St. George, recommending it to them, to assemble a sufficient Force in the Neighbourhood of Pondicherry with all possible Expedition, to be ready to invest that Place the Moment that a Confirmation of the News should arrive. We advised them to open a Negotiation with the Nabob Hyder Ally, who lately had made repeated Applications to their President to solicit an Alliance with the Company. We ordered the Balance of Cash, which had accumulated in the Hands of our Resident at Owde, to

(a) Vide Appendix, No. CCXVII, supra.

be immediately sent down to the Presidency; and called for such Accounts as might enable us to determine the State of our immediate Resources. (a)
(Signed at the End of the Letter)

“ Fort William,
the 17 August 1778.

“ Warren Hastings,
Rich^d Barwell,
P. Francis,
Ed^d Wheler.”

Read, also, a further Extract from the same Letter, beginning at Page 240 of the same Book.

Par. 12. “ We have agreed to augment our own Military Establishment by the Addition of Fifteen Companies of Native Artillery and Nine Battalions of Sepoys. Three of these Battalions are now forming by Drafts from the Regular Troops which are stationed in the Nabob's Dominions, and the other Six will be composed of Recruits. But as we think it just, that Rajah Cheyt Sing should contribute his Part to the Charges of the War, we have determined that Three of these Battalions shall be raised and maintained at his Expence, by Means of a Subsidy of 5 Lacks per Annum, which he has agreed to for One Year.” (b)

To prove that the Court of Directors received this Letter, apprising them of the Demand made upon Cheit Sing by the Governor General and Council,

Read, from Book 44, already delivered in, the following Extract of a Letter from the Court of Directors to the Governor General and Council at Fort William, dated 14 April 1779.

“ Our Governor General and Council at Fort William in Bengal.

Par. 2. “ By the Company's Ship Eagle, which arrived at Plymouth the 9th instant, we received your several Advices in the Public, Secret, and Revenue Departments.”

(Signed at the End of the Letter)

G. Wombwell,	W. G. Freeman,
W ^m James,	Th ^r Cheap,
Jn ^r Woodhouse,	Ben. Booth,
L. Sullivan,	John Smith,
J. Purling,	W. Devaynes,
W. Mills, junior,	Nath ^l . Smith,
H. Fletcher,	Joseph Sparkes,
Rich ^d Becher,	J. Stables.
Cha ^r Boddam,	

The Counsel for the Defendant stated, That the next Point respecting the first Demand made upon the Rajah Cheit Sing, of Five Lacks of Rupees, in the Year 1778, was the State of the Treasury in that Year. That the Managers for the Commons had given in Evidence a Consultation of the 10th of August 1778, relative to a Proposal of a Loan. That there were Two Consultations relative to the same Subject antecedent to the 10th August 1778, viz. on the 23d and 24th July 1778, which they desired might be read.

Read, accordingly, from Book 13, already delivered in, the following Extract of a Consultation of the 23d of July 1778, beginning at Page 497 of the same Book.

“ Fort William, the 23d July 1778.

Secret Dep.
Thursday.

“ At a Council; Present,
The Honourable Warren Hastings, Governor General, President;
Richard Barwell, } Esquires.
Philip Francis, }
Mr. Wheler indisposed.

“ Mr. Francis lays before the Board the following Minute, which he begs leave to submit to their Consideration.

“ 23d July 1778.

Mr. Francis's
Minute.

“ More than Seventeen Days having now elapsed since the First Advices were received on which we have deemed a War with France inevitable, and which have determined us to act offensively

(a) Vide Appendix, N^o. CCXVIII.

(b) Vide Appendix, ibid.

against that Nation, I think it Time that the Board should immediately form and resolve on the general Plan of Measures which the Defence of Bengal may require us to adopt in the present Conjunction. The Measures I allude to being of a general Nature, and the Resolutions leading to them being preliminary and fundamental, fall solely, as I conceive, within the Judgement of the Board; the Means and Mode of Execution may be determined by military and official Advice. I propose therefore that it may be resolved, that it is the Opinion of this Board, that for the Defence of Fort William, in the Case of an Invasion, and of Budge Budge, and to form an Army of Observation sufficient to keep the Field, it is indispensibly necessary that Twenty Battalions of Sepoys on the present Establishment, amounting to 15,600 Rank and File, should be forthwith assembled at or near the Presidency.

“ Resolved, That of the above Force Eight Battalions shall be stationed in Fort William, which, together with Two Regiments of Europeans, the Militia, and all the Artillery except One Company, with a proportionate Establishment of Lascars and Artificers, shall constitute the Standing Garrison thereof.

“ Resolved, That Three Battalions and a Half of Sepoys, and One Company of Artillery, shall constitute the standing Garrison of Budge Budge.

“ Resolved, That the remaining Eight Battalions and a Half of Sepoys shall be employed in the Field as an Army of Observation, or in the Defence of such Out Posts and Stations as the Service may require.

“ Resolved, That immediate Orders be given to the Officer now commanding in the Field for the March of One of the Regiments of Cavalry now stationed there forthwith to the Presidency, completing the same, if necessary, by Draughts of Men and Horses from the other Regiments of Cavalry; and that the above Regiment shall act in Conjunction with the Army of Observation.

“ Resolved, That the above mentioned Twenty Battalions of Sepoys shall consist of all the native Troops now in the Company's Service, and that their Places shall be supplied by new Levies, for the Defence of the Nabob of Oude's Country, and of such other Posts and Stations as may require it.

“ Resolved, That the Regiment of Europeans now at Burranyrow be ordered to the Presidency, and quartered at Fort William.

“ Resolved, That Colonel Ironside be immediately ordered into the Fort to take upon him the Command thereof, with Instructions to attend to the constant Exercise and Discipline of the Garrison, particularly to train and exercise all the Europeans without Distinction in the working of Guns.

“ Resolved, In order to expedite the new Levies, and to compleat the Twenty Battalions destined for the Service of the Presidency, the Militia Sepoys at the different Stations shall be revived, and such of the Men as are fit for Service draughted and incorporated in the established Battalions; and that their Places shall be supplied by new Levies.

“ Resolved, That the Colonels or Commanding Officers of the several Brigades do make an immediate Return to the Commander in Chief of the actual State of the Field Equipage, of the Number, State, and Condition of the Lascars, and Draught and Carriage Bullocks and Elephants, &c. properly trained and fit for Service; also a Report of the Quantity, Quality, and Condition of the several Stores furnished by Contract; and that these Reports be referred to the Commander in Chief, for his Opinion of the Augmentations and further Provisions necessary to be made in order to the compleat Supply of the Force destined for the Service of the Presidency.

“ Resolved, That the Four Companies of Artillery be immediately compleated by Draughts from the European Regiments; and that Two Companies belonging to the European Regiments be particularly trained to the Service of the Artillery; and that Part of the Native Artillery, equal in Number to the Four Companies of Europeans, be selected and trained to the same Service; and their Pay made equal to that of the Sepoys.

“ I also think it my Duty to propose it to the Consideration of the Board, whether, considering the present Emergency;—the extraordinary Expences to be provided for;—the actual State of our Treasury;—the Possibility of a Diminution in our Collections in case of Commotions in the Country; and the Advantage of possessing a Quantity of Specie, which in that Case would probably be secreted, and of securing the Fidelity of a Number of wealthy Individuals, it might not be adviseable to open the Company's Treasury for a Loan of Fifty Lacks of Current Rupees at Five per Cent. Supposing us to keep this Money a Year, and to have no further Occasion for it, I conceive that the Considerations above stated greatly outweigh that of the Expence of Two Lack and a Half for a Year's Interest.

“ On Tuesday the 31st instant the Balance in the Treasury was	—	54,32,808
Deduct paid Yesterday to the Cash	—	50,000
Do. to Military Storekeeper	—	40,000
		<u>90,000</u>
		53,42,808

" If the Board will observe of what Articles this Balance consists, they will see how small a Sum we have in Hand strictly applicable to Current Services.

" 1st, 34,80,000 is deposited in the New Fort as a Fund to be reserved for an extraordinary Emergency, and in my Opinion should not be touched but upon an actual Invasion.

" 2dly, 13,39,968 consists of Deposits of private Property, which does not belong to the Company, and may be drawn out of the Treasury on Demand.

" These Two Sums deducted from the Balance in Hand leaves only 5,22,840 Current Rupees; and even the Existence of this Balance depends on the realizing all the Paper Security in the Two Treasuries, amounting to 7,36,794, which constitutes Part of the whole Balance of 53,42,808 Current Rupees.

(Signed) P. Francis.

" The Governor General.—I should be sorry to appear deficient, on an Occasion of such Importance as this, in bringing before the Board such Propositions as from my Station it becomes more indispensibly necessary for me to prepare for their earliest Consideration; but I beg Leave to remind the Board that we have already called upon the Commander in Chief for his Opinion of the Measures which should be taken for the Defence of the Provinces. I have also taken the separate Opinions of the Chief Engineer and the Commandant of Artillery respecting the Defence of Fort William. I have of Course waited for them, as essential and effectual Material for the Formation of our public Resolutions.—I do not mean that we should be implicitly guided by them, but at least to take them for the Grounds of our Proceedings.

" The Commander in Chief has not yet delivered his Opinion, but I believe it is ready, and if I rightly recollect the Assurances which he made me, I think the Day before Yesterday, he will be able to attend the Board with it within the Course of this Week.

" The Opinions of the Chief Engineer and Commandant of Artillery respecting the Provision of Stores which would be necessary for the Garrison in the Case of a Siege, and of the additional Arrangements and Operations required for completing the Artillery Establishment, so as to render it equal to every Service that might be required from it in an Invasion of the Province, were laid before the Board on the 20th instant; and I have brought a Letter written to me by the Chief Expenses, containing a Detail of all the Operations which, in his Judgement, would be required in his Department. These I proposed to read this Morning. They ought to be recorded, and the Opinion of the Commander in Chief ought to be received and well weighed before we can form any Opinions of our own. I now desire the Chief Engineer's Letter, which I mentioned my Intention of laying before the Board when Mr. Francis introduced his Propositions, with Colonel Pearse's Letter, may be the first Papers read at our next Meeting.

" The Governor General lays before the Board the following Letter from the Commander in Chief, in consequence of a Reference which he made to him for his Opinion on the Lists of Stores laid before the Board the last Council Day, and proposed to be provided for the Garrison; and moves, That all, except the Engineers, be immediately ordered to be purchased and laid in under his Direction, with such Deviations as the Necessity of Circumstances may make it requisite for him to allow of. This he deems necessary, because he thinks that all the Articles of victualing Stores cannot be immediately procured, and because many of these Articles which are procurable must remain until proper Places can be prepared for their Reception in the Fort.

" Sir,

Commander
in Chief, 23d
July.

" Agreeable to your Request, I have examined into the Lists of Stores, given in to you by the Commandant of Artillery and Chief Engineer, necessary in their separate Departments for the Defence of Fort William in a Siege, which do not appear to me to be deficient or over rated in any Articles, and I think may with Propriety be assented to and ordered to be completed.

" I have also examined the List of Provisions, delivered to you by the Chief Engineer, necessary for the Supply of the Garrison during a Siege. This, with the Increase I have made to some Articles, and the few I have added as marked in the Margin, I likewise recommend to be provided.

" Fort William,
July 22d 1778.

I am, with due Respect, &c.
(Signed) G. Stibbert.

" Agreed to the Governor General's Proposition; and that the additional Stores recommended by the Commander in Chief be added to the List recorded in Consultation 20th instant, and provided accordingly.

" Warren Hastings,
Rich^d. Barwell,
P. Francis,
Edw^d Wheeler."

Read,

Read, the following Extract of a Consultation of the 24th of July 1778, beginning at Page 511 of the same Book.

“ Fort William, 24th July 1778.

“ At a Council; Present,
The Honble. Warren Hastings Esquire, Governor General, President;
Richard Barwell, } Esquires.
Philip Francis, }
Mr. Wheler indisposed.

Sec. Dept.
Friday.

“ The Proceedings of Yesterday read and approved.

“ The Secretary lays before the Board the following Minute from Mr. Wheler.

“ Fort William, the 23d July 1778.

“ Having been prevented from attending the Board this Day by Indisposition, Mr. Francis has favoured me with a Communication of certain general Propositions given in by him for the Defence of Bengal, and for making a Loan of 50 Lacks of Current Rupees at 5 per Cent. Interest.

Mr. Wheler's
Minute.

“ I take this Opportunity to declare that the above Propositions, as well for the Defence of Bengal as for making the Loan in Question, meet with my entire Concurrence and Approbation.

“ The former, or something adequate thereto, I deem absolutely and indispensably necessary for the Safety of the Country committed to our Charge, and that any further Delay in taking the most effectual Precautions against the Possibility of an Invasion after the Advices we have received, and knowing the embarrassed State of our Government at home, which leaves us little Prospect of Assistance from thence, will be absolutely inexcusable towards our Employers, the People under our Protection, and the British Nation at large.

“ The Loan I deem a very judicious and adviseable Measure, as well to have such a Sum in case of Emergency, as to secure the Attachment of so considerable Part of the Inhabitants as would probably become Subscribers; and I have no Doubt, if begun immediately, but we shall in the Course of Two or Three Months be able to fill it up; but if this or other Precautions are neglected till the Time of Danger, they will then be impossible and unattainable.

“ I sincerely hope that the Emergency of the Case will unite every Member on the present Occasion, and that the Motions will be followed by unanimous Resolutions.

“ The Governor General delivers in the following Letter from the Chief Engineer.

“ To the Honourable Warren Hastings Esquire, Governor General, &c. &c.

“ Sir,

“ Having already furnished you with a List of such Engineer's Stores as I deem requisite for the actual Defence of Fort William, I shall now consider the Arrangements which I apprehend to be absolutely necessary for impeding the Progress of an Enemy who may come properly prepared for the Siege of that Fortress.

The Chief
Engineer.

To defeat such an Enterprize there are Four principal Objects to which I conceive the Attention of Government should be particularly directed; viz.

“ 1st. To endeavour if possible to keep Possession of the intricate Channels which form the Entrance into the River Houghley.

“ 2dly. To oppose an Enemy's Fleet in their Progress up the River at every Place where the Channel is narrow, or the Navigation difficult and dangerous.

“ 3dly. To make a determined and resolute Stand against the whole Force of an Enemy at the Post of Budge-Budge.

“ 4thly. To oblige an Enemy to make their Attack upon the South Side of Fort William.

“ The Means of opposing the Entrance of an Enemy's Fleet into the River I have already explained in my Letter to the Board of the 15th instant, I shall therefore say nothing more upon that Subject at present, except to express my anxious Wishes that the whole Plan may be soon carried into substantial Execution.

“ To obstruct the Passage of an Enemy's Fleet up the River Houghley, many natural Difficulties are still to be overcome, both from the skilful Pilotage which is required in some of the Channels, and the Narrowness of others. It is at such Places that new Impediments may be opposed with the greatest Success, and Batteries should be erected upon Points of Land which command and rake those Channels in the most advantageous Manner, and where the Distance is not so great as to render the Certainty of striking an Object precarious: But of those commanding Situations such only should be chosen as may be made defensible against the sudden Assault of a Body of Troops which might be occasionally landed from an Enemy's Fleet; and at all these chosen Posts good Redoubts, fringed with strong Pallisadoes, should be erected. If they are properly constructed, such Works are not to be carried by the mere Effort of the Firelock and Bayonet; neither will the Defendants receive such Annoyance from the Cannon of the Ships of War. The Expence of these Works will be trifling in Comparison of the very essential Service which may be expected from them, and an Enemy must inevitably be either frequently reduced

to the Necessity of landing Cannon and Mortars, or to risque the Loss of their Ships upon every Attempt to pass a Station where such Obstacles are added to the natural Difficulties of the Navigation.

“ I am unable at present to point out all the Situations which are proper for the Construction of the forementioned Works; and until I have made a particular Examination of the River myself, in Company with Mr. Gilbraith, who I had the Honor before to recommend as a Man whom I wished to consult as an able and experienced Pilot, I can only recommend some additional Works to be executed at Budge Budge, and the Point of Sangrail to be occupied without Loss of Time.

“ Besides the Opposition and Retardment which an Enemy may receive from the Works before mentioned, we have, I hope, a still more formidable Means of destroying their Squadrons by Fire in the narrow Channels of the Houghley. In my own Opinion, our Attempts could seldom fail of Success but from the most palpable Mismanagement, or Ignorance of the Person who might be charged with this Part of our Defence. It is from a thorough Conviction of the Mischief which may be done to an Enemy's Fleet by the Means of Fire Floats, that I most earnestly request you will permit me to prepare one Set, in order that an Experiment may be tried, with which they can be laid on board a Ship riding at Anchor in the Stream, and of the Impossibility of a Ship under Sail evading their terrible Effects, by any other Means whatever than that of altering her Course briskly; but this would be a momentary Expedient, for if she escaped the Flames, no Skill could afterwards prevent her from running aground, and no Efforts from being destroyed by our Batteries.

“ The Confusion and Damage which must inevitably arise from the Use of these formidable and perhaps unexpected Weapons of Defence would, I apprehend, frustrate all Hopes of forcing a Passage up the River; and an Enemy must then be reduced to the Necessity of landing their Troops a considerable Distance below Calcutta, or of abandoning their Enterprize entirely; which latter Measure would, in my Opinion, be most prudent, though in Appearance less honourable to the Commanders; for I should consider an Attempt to conquer Bengal with an Army which has its Fleet to escort and defend from the Banks of the Houghley, and at the same Time is obliged to open Trenches and erect Batteries before every Post which prevents their Progress up the River, could afford but a very indifferent Prospect of Success.

“ In these various Attacks, to which I foresee an Enemy must be reduced, their Troops will be constantly harassed by our Sepoys, and besides, be very much exposed to the Cannon Shot of our armed Vessels and floating Batteries, both which may be employed on these Occasions to great Advantage; and although they may not do much real Mischief, yet they will incommode and retard the Operations of an Enemy, and most probably compel him to erect Batteries for the sole Purpose of keeping our Craft at a greater Distance; neither can any Attack be carried on with Safety to their Ships, without they first occupy both Sides of the Rivers with Troops and Cannon; for if one Side remains undefended, our Fire Floats may be conducted to their Fleet with Ease and Safety. In short, I see so much real Labour which must be performed, and so many Difficulties which must be surmounted by European Soldiers and Seamen, at the End of a long Voyage, that I am ready to believe an Enterprize so hazardous may probably be entirely frustrated, without one Cannon of Fort William being employed for the Defence of Bengal.

“ In the present Situation of our Affairs, very little or no Opposition could be given to a powerful Squadron of Ships, with a considerable Body of Land Forces on Board. The Post of Budge Budge is the only Place which has yet been made use of for that Purpose; but the Works are only calculated to oppose the Progress of our Enemy's Fleet by the mere Effect of Cannon Shot, and no Advantage whatever has been taken of the natural Strength of the Situation. Our Battalions, it is true, might do considerable Mischief to Ships, but the landing of a Body of Troops with a few small Mortars, would oblige the Defendants either to surrender in Twenty-four Hours, or to make a precipitate and dangerous Retreat.

“ It is to remedy this unaccountable Oversight, that I propose, with your Permission, to construct such additional Works of Earth and Pallisadoes as will not fail, in my Opinion, to render the Station of Budge Budge formidable, even to the whole Force which any Enemy can bring against it.

“ My Plan is, to erect a Number of strong fraized Redoubts within the Ditch of the Intrenchment that surrounds the Old Fort, each capable of containing One hundred Sepoys, and to have two small Pieces of Iron Cannon to be used occasionally; these Works to be flanked, and defended by each other reciprocally both by Musquetry and Cannon. As these Redoubts will be situated close behind a Ditch of about Forty Feet in Breadth, with at least Seven Feet Water in it, an Enemy cannot therefore possibly carry one of them by Assault, nor can such Works, in such a Situation, be taken by any other Means that I know of than that of a regular Attack; and as the adjacent Ground is very low and marshy, the Business of erecting Batteries and making Trenches must be attended with prodigious Labour and great Difficulty. I am convinced the Besiegers will make a very slow Progress in their Approaches. Indeed, if we consider the important Objects which must engage the Attention of an Enemy during the Time of this Attack, such as guarding their Ships from the Effects of our Fire Floats, both above and below (which I think almost impossible); the taking and maintaining Possession of the opposite Shore, to prevent their Fleet from
being

being cannonaded by the Guns attached to our Troops of Observation on that Side; to secure their Camps and Out-posts before Budge Budge against the Attacks and Insults to which they will be liable from the Troops that may be most advantageously stationed for that Purpose behind the neighbouring Marshes, where they remain in Safety, and return from their Attacks with great Security by the Means of Dingies and Canoes; I say, if we reflect upon an Enemy's Situation during the critical Period of their Operations, we cannot suppose that they will be able to afford more than Half their Troops for the Reduction of Budge Budge.

" Besides these Redoubts, I propose to secure the lower Point of Land which forms one Side of the Mouth of Budge-Budge Nullah: By this Means we shall be able to keep a large Store of Fire Floats in perfect Security and Readiness, to be employed as Occasion may require. This Work will be protected by the Redoubt at the Extremity of the Intrenchments, which will, for that Reason, be made larger than the others.

" In order further to obstruct the Progress of an Enemy's Fleet, I also propose to have a Line of Ships moored across the Channel, (above Budge Budge), and fastened together by very strong Cables, with a Line of Fire Floats above or behind them, which I apprehend will effectually prevent the headmost Ship from elcaping; for, if the Boom (of Ships) was not able to resist her Weight and Force, the Floats would certainly intercept and destroy her, and if the Boom was sufficiently strong, our Batteries would soon reduce the Commander to surrender.

" It must be considered that, upon every Occasion, when a Line of Ships attempt to pass a single Battery by a narrow Channel, there is always a good Chance of disabling one of the headmost Vessels; and if that happens, those that follow must be in great Confusion, and may perhaps either fall on board each other or run aground, even were the Whole supplied with good Pilots, Which, however, can never happen in this River.

" To oblige an Enemy to carry on their Approaches to the Southward of Fort William, must, I think, appear almost self-evident to every Person; for, whilst that Attack is continued, we must remain Master of the River above, and consequently have the Means of reinforcing and relieving the Troops in Garrison with the greatest Ease and Safety..

" In order to reduce an Enemy to this Point of our Wishes, I propose to construct a large Field Work on the opposite Shore, something below Fort William, capable of containing Two Battalions of Sepoys, for a Garrison; as this Fort will be secured with Fraized Work, it will not become an easy Conquest to an Enemy, open as it will be to Succours at all Times, neither can they possess themselves of the Command of the River above, without being Masters of this new Strong Hold; and, whilst one Part of the Houghley remains open, and in our Possession, all Attempts to wrest Fort William from us must be attended with certain Disappointment; and I consider every Endeavour to force a Passage with Ships, when opposed by the Cannon of Fort William, and those of the New Work, supported at the same Time by our Fire Floats and Armed Craft, cannot meet with a better Fate.

" But if an Attempt should be made upon Fort William to the Southward, the Guns from the Field Work on the opposite Shore will gall an Enemy exceedingly, and most probably oblige them to change their Design of approaching by the River Side, which will be a considerable Advantage gained, as it will add much to their Labours.

" In short, I am convinced, if we immediately pursue vigorous Measures for our Defence, and make use of the Advantages which Fortune has put into our Hands, that we shall soon be able to resist the united Efforts of an Enemy who brings Twenty thousand Soldiers and Twenty Ships of the Line to conquer us, and such a Force, I apprehend, may be expected by the 15th of October.

" As the various Works which will be necessary must call for many Hands to execute them, I therefore request, if my Plan of Defence should meet with your Approbation, that I may have full Power to carry it into Execution; and that Two thousand Bildars and Coolies be immediately sent to Budge Budge, and One thousand more collected to work upon the New Fort on the other Side of the River.

" I think it also necessary to acquaint you of the absolute Necessity there will be to stop, for the next Three Months, all private Works in the Town of Calcutta, where Bildars, Coolies, Carpenters, Sawyers, Bricklayers, and Smiths can be employed. This Prohibition will enable me to execute every Order of the Board with the requisite Dispatch.

" I must also request that you will please to allow me to employ Three hundred Lascars for a short Time; and that an Addition of One Rupee a Month may be made to their Pay, for Three Months only, which will induce good and active Men to enter into the Service, and to continue in it in Time of Danger.. When that arrives I am persuaded it will then be in vain to attempt to recruit them.

I am, with the greatest Respect,
Sir, &c.

(Signed)

Henry Watfon,
Chief Engineer."

" Fort William,
22d July 1778.

" The Board approve generally of the Plan of Defence proposed by the Chief Engineer; and

" Resolve, That he be directed to carry such Works, as he has therein proposed, into immediate Execution, with full and discretionary Powers for that Purpose, subject however to such Variations as the Board, from Time to Time, may think proper to direct; and for this Reason,

" Ordered, That the Chief Engineer do keep, and occasionally lay before the Board (for their Inspection) a Diary of his Operations in this Business.

" Ordered also, That the Chief Engineer be directed to prepare Plans of all the different Works which he proposes to construct, with Estimates of their Expence, and that he lay the same before the Board for their Approbation; and

" As the Board are of Opinion, that it may very much distress the Inhabitants of Calcutta to give the Order proposed by the Chief Engineer for prohibiting Artificers from serving Individuals immediately;

" Ordered, That an Advertisement be issued from the Public Department to warn them from commencing any new Buildings."

• Sic in Orig.

" The Governor General informs the Board, that there is a Deficiency of casemated Building Buildings in the Fort, and recommends, that the Chief Engineer be directed to make Choice of a proper Place or Places for such additional Bomb Proofs as may be constructed in the Course of the ensuing Season, without impeding the other more immediately necessary Operations; and that he lay before the Board of Inspection Plans and Estimates of the same.

" Ordered, That the Fort Major be called upon for a Report of all the Barracks and Casemates in the Fort, of the Uses to which they are now applied, and a Calculation of the Number of Men which may be quartered in the latter, exclusive of Stores, in the Time of a Siege.

" Reconsidered the 17th Paragraph of the Chief Engineer's Letter, in Consultation the 20th July.

" For the Purpose of executing the Plan here recommended, the Board take into Consideration the Appointment of a Commodore; and although they approve of Lieutenant Colonel Watson's Choice of Captain David Cumming for that Trust, and conceive him amply qualified for the Execution of it, yet they are of Opinion that Objections might be made, and with some Justice, by the Captains of the Company's Ships, to act under the Command of a Person who has not heretofore borne a superior Command; but, as the same Objection could not with Propriety be against a Naval Officer of considerable Standing in His Majesty's Service, it is

" Resolved, That Mr. John Richardson be offered that Appointment.

" The Secretary having consulted the Europe Captains, in Obedience to the Orders of the Board, upon the Capacity of their Ships for War, and the Time required for preparing them, begs Leave to record the Questions which he put to Captains Coxon and Rogers, with their Replies, as follows:

Questions to Captain Coxon.

Question 1st. What Number of Guns could your Ship mount in case of Necessity?

Answer. Twenty-four Nine Pounders and Twelve Four Pounders.

Question 2d. What Number of these Guns have you now on Board?

Answer. Twenty Nine Pounders, and Six Four Pounders.

Question 3d. Can your Vessels carry Guns of a greater Weight, and what?

Answer. Our Charter Party expresses only Nine Pounders.—I believe the Ship might carry Twelve Pounders in case of Necessity; but I could not take upon myself the Consequence of deviating from the Charter Party.

Question 4th. What Number of Hands have you on board?

Answer. Ninety-five Men and Boys, most of them Foreigners; but not French.

Question 5th. What additional Complement of Men would be necessary to fight your Ship?

Answer. Our Complement ought not, in the Whole, to be less than Three hundred Men.

Question 6th. In what Time might your Ship be prepared for War?

Answer. In about a Month. She is now stripped, and her Cargo not taken out; many Preparations and Alterations are necessary to be made.

" Captain Rogers, Commander of the *Osterley*, being asked the same Questions, gives the like Answers to each, except the Second; to which he says, his Number of Hands consists of 107 Men, but mostly Foreigners. Ten Englishmen were pressed out of each of these Ships by the Commodore at Madras.

" The Secretary having prepared a Letter to Commodore Sir Edward Vernon, after the Dispatch of those written on the 20th instant to Fort Saint George and Bombay, and conceiving, from the Replies of the Europe Captains, that their Ships would not answer the original Intention of the Board, now submits the Letter, with Corrections adapted to the present Circumstances, for their Approbation.

" To

" To Commodore Sir Edward Vernon:

" Sir,

" Considering that the Naval Force belonging to the French, which is now in India, is superior, particularly in its Complements of Guns, to the Fleet under your Command, and deeming it an Object of the greatest Importance to the Success of the British Arms to afford you all the Addition of Strength that it may be in our Power to furnish, we have ordered the Ship Resolution, which is capable of mounting 20 Eighteen Pounders, and 22 Nine Pounders, and the Charlotte of the same Capacity, which we have taken up for that Purpose, to be fitted out and prepared with all possible Expedition for War, intending, as soon as they shall be ready to sail, which we expect will be by the End of August at farthest, to send them to join the Fleet to act under your Orders, and to be at your Discretion and Dispatch, as long as you have Occasion for their Services.

" We have also desired the President and Council at Bombay to cause the Britania, another Ship belonging to the Company, to be pierced for as many Guns as she will carry, and to consign her to you in like Manner, and for the same Period of Time.

" We hope, with this Increase to your Armament, that you may not only be in a Situation to cope with any Force which the French may be able at present to collect together, but to provide for such other Services as in your Judgment may be conducive to the Security of the Company's Possessions in India.

" Fort William,
24th July 1778.

" We are, &c."

" Mr. Francis.—I disapprove of the Letter to Sir Edward Vernon, because I think it not improbable that Events may oblige us to keep these Ships for the Defence of the River, and because I am convinced that they cannot be manned without taking away all the Europeans, whose Service here may be essentially necessary, as well to supply the Marine in the River, as Recruits for the Artillery Corps.

" The Board approve the above Letter to Sir Edward Vernon, and order that it be written fair, and dispatched.

" The Governor General lays before the Board the following Letter from the Commandant of Artillery.

" To the Honourable Warren Hastings Esquire, Governor General.

" Sir,

" 1. Having received the Honor of your Commands to give my Opinion on the Defence of Fort William, and the Proportion of Stores requisite for it, I shall beg leave to confine myself to the Military Part only, leaving what concerns the Works and Engineers Department to the Chief Engineer, who, undoubtedly, can give you the best Information on this Subject.

" 2. In a former Letter, dated the * I gave it as my Opinion that the Garrison ought to consist of the following Number: Of Europeans, one complete Regiment on the present Establishment, Five Companies of Artillery, Three hundred Cavalry if to be had, but if not, I presume the Settlement would afford Three hundred Men for other Services, and Fifty Miners. The total Force of Europeans, according to this, 2038; and nearly this Number, I imagine, it is in the Power of Government to get, if not the Whole, of Natives. I proposed eight complete Battalions of Sepoys, or to that Amount, Ten Companies of Native Artillery, Eight hundred Pioneers, and Five hundred Artificers, besides Surgeons and the Attendants of the Hospitals, Servants, Slaves, and Women.

" 3. The Subject growing still more serious to me than it was when I wrote the former Letter, I have endeavoured to put Things, as it were, in Motion, and by so doing think I made some small Mistakes. I therein stated the Pioneers at 800, I think they ought to be 1000; but they more immediately belong to the Engineer Department, for whom I mean the 500 Artificers, and consequently I ought to have said, they were to be in Addition to those already on the Establishment. With my own Artificers, and those in the Commissary's Department, all that belongs to the Cannon and Musquetry might be performed; with those I propose for the Engineer, I presume he would be able to keep the Platforms in Order, and to perform his other Services.

" 4. But with Respect to the Artillery, I find I fall short considerably. I shall therefore first endeavour to shew what they will have to do in the Siege: Supposing the Enemy should attack one of the Demi-bastions, the Guns of one Side of a Redoubt, Part of One Face of a Redan, One Face of the Counterguard, One Face of the Lunette, the Two Faces of a Ravelin, and the Face of a Bastion would all bear upon the Attacks, and all the Guns would be employed, more or less, every Day. Their Number is 72, and may be more. These I purpose employing during the Day only, and I suppose them to fire daily 300 Shot, which is a very moderate Proportion. In the Covert Way before these Works I purpose placing the smaller Mortars, these to fire Night and Day, and to expend about 400 Shells daily. In the Night I purpose firing from the Glacis with Field Pieces, as long as the Enemy are out of Reach of Musquet Shot from the Barbets, and from Carriages on Slides to be raised within the Covert Way when they shall be nearer; and these Guns to be Twelve and Six Pounders, to fire between 300 and 400 shot in the Night, and sometimes more, and generally One of Case to Two of Round.

" 5. For

To Sir Edward Vernon.

Mr. Francis.

Commandant of Artillery the 18th July.

* Sic in Orig.

" 5. For these Duties it is evident, That I cannot allow less than Two Europeans to a Gun and Six Native Artillery, which for the Attacks will therefore require Europeans 144, Natives 432; besides these, there must of necessity be others in the different Works; for Instance, in each of Four Ravelins, and in the other Redoubt not attacked, Nine; in the Counterguard Thirteen; and the Remainder of the Redans not attacked, Thirty-one, in all, 89 Europeans, and 267 Natives, which make up the Numbers, Europeans on Duty 233, Native Military 693; and for Three Reliefs it would require, Europeans 699, Native 2099, exclusive of Officers.

" 6. But I am justly apprehensive, that were Government inclined to raise the requisite Number of Artillery, they could not obtain so many Europeans; I will, therefore, recommend what I humbly conceive to be obtainable, if Government should be pleased; viz: European Artillery 500, exclusive of Officers, Native Artillery Fifteen Companies, according to the Scheme of a Company annexed, and marked N^o 2; with these and a small Assistance from the Infantry, as is usual on like Occasions, I think I could undertake to perform all the Artillery Duties of the Siege; with less I could not be answerable for it. And, indeed, the Durdgery, if the Duty were performed, would be insupportable in this Climate, and in that Season in which it is most likely the Enemy would come.

7. From what I have said, the Quantity of Shot and Powder is easily computed, and will be found to be the same as I have stated it; but I must premise, that I suppose we should be attacked by Shipping at least Thrice in the Siege, and I have provided 105 Rounds for each of 90 Guns, which, on such Occasions, would be employed, and which must of Course be worked by those Artillery who should not be on the Duties of the Front attacked.

" 8. The Quantity of Powder is not however all that would be wanted; the Chief Engineer would use it in Mines, but then I conceive he would not use more than would make up the Grand Total 6500 Barrels.

" 9. There is another Subject I must touch upon, it is the Insufficiency of the Casemates; according to the Proportion I propose for the Garrison, there will be at least 15,000 in the Fort. I will suppose only the Garrison Part to be entitled to Casemates, and of these only One Third under Cover at a Time, then will there be 3500 Men who must be securely lodged; the Officers of the State, those of the Garrison must have constant Lodgements, and the Hospital must be secure; but besides all this, all Provisions and Stores liable to be destroyed by Bombs, and all Workshops for the Duties of the Garrison ought to be equally secured. I therefore take the Liberty to recommend an Addition to these necessary Buildings: The proper Place for them it is the Engineer's Duty to point out. However I may, without invading his Department, say, I think the Curtains seem to me to be the most natural Place for them.

" 10. The Magazines are capable of holding all the Powder I require, or even more; but then the new one and all those in the Outworks are so very damp as to be at present unfit for Service.

" 11. The List which accompanies this contains all the Essentials that I should want during a Siege; some petty Articles which might be made out of the Materials may be omitted, but I believe none of Consequence. I omit the 12 Pounders which were condemned, the Necessity might make us risk the using them, and I have confined the Number of Guns to what we have, laying aside the Consideration of what we ought to have.

" 12. I can only add, that I have made my Calculations from my own Judgement and what I have seen of Service, for I am not possessed of any Tables digested by Men of Eminence in this Business. I have indeed, since I made out my Proportion, seen those which Captain Kydd translated from Le Blond, and was very happy to find so close an Agreement in the main Articles. It is true the Numbers do not agree, but then the Suppositions are different; our Works are calculated chiefly for a Defence by Cannon, and we lie exposed to Attacks by Ships, neither of which were the Suppositions of the Author before mentioned. My Numbers and Quantities must of Course be greater, as they will be found if compared.

" 13. Having in the former Part of this Letter shewn what Number of Artillery would be wanted for the Defence of this Garrison, I must, to conclude, beg Leave to observe, that there must also be Artillery with the Part of the Army not within the Fort, for which there will be no great Allowance, if I recommend Two Companies of Europeans, and Six of Native Artillery. This however would, I presume, be nearly sufficient. It will therefore, I hope, be worthy of Consideration, whether this so useful a Corps ought not to be augmented.

" 14. I must observe, that whilst the Lascars are kept on the present low Pay, it is impossible for me to keep them together as they ought to be, seeing their Duties very laborious and their Pay inadequate. I already find Numbers deserting, and have ever found them desirous of quitting the Artillery to entertain in the Seapahs, if sufficiently high to be therein admitted; so that, although I have uniformly endeavoured to collect a Body of Men fit for the Artillery Duties, my Labours have been in vain; but were their Pay the same as Seapahs, I should not fear quickly having them as fit for Duty, and as perfect in Discipline as the Europeans I have the Honor to command.

" I am, with the greatest Respect, &c.

" Fort William,
10th July 1778.

T. D. Pearse,
L^t Col^l Comm^d Artillery."

“ Ordered, That the Inclosures in the above Letter be entered after the Consultation.

“ Resolved, That Two additional Companies of European Artillery be formed, and that the Commander in Chief be consulted upon the Expediency of raising them by Draughts from the European Regiments.

“ Resolved, That Fifteen Companies of Native Artillery be immediately raised, according to the Plan N° 2, entered after the Proceedings recommended by Lieutenant Colonel Pierse.

“ Read, the following Letter from Brigadier General Stibbert.

“ Honble. Sir, and Sirs,

“ I beg Leave to inform you, that I shall be ready on Monday next to lay before your Honble. Board, agreeably to your Direction, a general Plan for the Disposition of the Army, and the Defence of the Provisions. As the Subject was of the utmost Importance, I deemed a close Investigation of all its Parts absolutely requisite, and I wished to form it upon the most mature Deliberation, that I might be enabled to deliver it in as complete as possible; I have therefore to hope, that your Honble. Board will be pleased to do me the Justice to believe, that no unnecessary Delay has been made on my Part.

“ Fort William,
July 24th, 1778.

“ I have the Honor to be, &c.
(Signed) G. Stibbert.”

Gen. Stibbert,
24th July.

“ The Governor General.—As the Commander in Chief has promised to furnish us with a Plan for the Defence of the Provinces on Monday next, and as this is all that remains of the Materials which I understood it was proposed to collect, for forming the general Plan and Distribution of our Forces, I shall hope that the same may be completed with decided Resolutions on Monday next. I did mean to suspend every Declaration of my own Opinion until we should be prepared by such a Decision; but as a Plan of Defence has already been recommended, and as it is my Wish to adopt such Part of it as shall appear to me consistent with the general Line which I deem indispensably necessary for that Purpose, in the Hope that the same candid Allowance will be made to mine, I will here summarily mention the Strength and Distribution of it, which I mean to recommend as necessary and sufficient for the Defence of the Provinces against every probable Enemy, leaving the Reasons and Detail to a future Opportunity.

The Governor
General.

“ For the Province of Owde, and the new acquired Territories of our Ally the Vizier, I would propose to leave the Temporary Brigade in its Station, to complete the First Brigade to its proper Strength, including the Garrison of Cheenar; and for the Protection of our own Provinces, to bring down all our remaining Strength into Bengal.

The Governor
General's Pro-
positions.

“ Two complete Brigades to be employed in the Service immediately dependent on the Presidency.

“ The Second Brigade remaining for the present at Bunampore, and an Army of Observation, consisting of Three Battalions of Sepoys, to defend the Southern Districts, and especially the Subau Ruha, which is one of the practicable Avenues into Bengal, for which Purpose Three more Battalions should be raised. This Disposition I now recommend to the Consideration of the Gentlemen of the Board, previous to our next Meeting.

“ Mr. Francis.—I move, that it may be resolved that the Board will take into Consideration the State of the Treasury on Monday next.

Mr. Francis.

“ Resolved accordingly.

“ Warren Hastings,
Rich^d Barwell,
P. Francis.” (a)

To prove that the Rajah Chiet Sing was called upon to give his Assistance on the above Occasion,

Read, from Book 15, already delivered in, the following Letter from the Governor General to the said Rajah, beginning at Page 32 of the same Book.

“ To Rajah Chite Sing, D°. * (b)

* See in Orig.

“ War having been declared between the Courts of Great Britain and France, by the former, on the 18th of March, or 18th of Suffer, and by the latter on the 30th of March, or 1st of Rubbee-ul-awal 1192 Nejeril, I am to request of you, in my own Name and that of the Board, as a Subject of the Company bound to promote their Interest on every Occasion, to contribute your Share of the Burden of the present War, which will equally affect your Interest and ours. It has been determined by the Board that an Establishment of Three regular Battalions of Sepoys, to be commanded by British Officers, be raised and maintained at your Expence, and employed on such Service as the Situation of Affairs may require. I have no Doubt but, regarding this Measure equally

(a) See Appendix, N° CCXIX.

(b) The Date appears, upon Reference back, to be 11th July 1778.

conducive to your own and the Company's Interest, you will, with the greatest Readiness comply, and I hope you will intimate your Consent without Delay."

To prove that Communication was made to the Rajah Cheit Sing of the above Demand of Three Battalions of Sepoys being commuted for a pecuniary Subsidy of Five Lacks of Rupees,

Read, the following Letter from Mr. Hastings, the Governor General, to the said Rajah, beginning at Page 53 of the same Book.

Sic in Orig.

" To Rajah Chite Sing, D°. * (a)

" I have been favoured with your Letter, intimating your Consent to the Requisition made to you by this Government as a Subject of the Company, to bear a Part of the Expence of the present War; I am pleased with your ready Compliance; of this, indeed, I could have no Doubt, as your Interest is equally concerned with the Company's in the Success of it. The Expence of keeping up Three regular Battalions has been calculated, and been found to amount to Five Lacks of Rupees per Annum, at which Rate your annual Subsidy has been accordingly fixed. I am therefore to desire, in the Name of this Government, that you will pay immediately to Mr. Tho^r Graham the Sum of Five Lacks of Muchledar Rupees. Thus you will perform your Duty to the Company, and secure their Favor and Support."

The Counsel for the Defendant stated, That at the same Time the last mentioned Letter was written by the Governor General to the Rajah Cheit Sing, a Letter was also written to the Resident at Benares, requiring him to call upon the Rajah for the Five Lacks of Rupees, and that they should next read the Resident's Answer to that Letter.

Read, from Book 511, already delivered in, the following Extract of a Consultation of the 5th October 1778, beginning at Page 507 of the same Book.

" Fort William, 5th October 1778.

sub. Dept.
Monday.

" At a Council; Present,
The Honourable Warren Hastings, Governor General, President;
Philip Francis,
and
Edward Wheler, } Esquires.
Mr. Barwell indisposed.

" Read, Two Letters from Mr. Graham, as follows:

" Honble. Sir and Sirs,

" I have been honoured with the Receipt of your Letter of the 17th instant, informing me of Rajah Cheyte Sing having, by Means of his Vakeel, agreed to pay a Subsidy of Five Lacks of Muchlidar Rupees, as his Share for the Support of the Burthen of the present War, and for the Purpose of defraying the Expence of Three Battalions of Seapoys, resolved to be raised and maintained at his Charge; also acquainting me of your having ordered the Rajah to pay this Sum immediately into my Hands, and directing me to receive the same from him, and to remit the Amount of it to the Presidency.

" In consequence of these Orders I have called upon the Rajah for Payment of Five Lacks of Muchlidar Rupees, which I shall accordingly receive, and, agreeable to your Orders, remit to the Presidency.

" As the Exchange on Bills between this and Calcutta is daily rising, and is at present at the exorbitant Rate of 10½ per Cent. and as I am desirous the Company should sustain as little Loss as possible by the Remittance of this Sum, I beg to be informed, whether you would prefer its being sent down under Insurance.

" Benares,
the 29th August 1778.

(Signed at the End of the Letter)

" Thomas Graham, Resident.

And at the End of the Consultation,

" Warren Hastings,
Rich^d Barwell,
P. Francis,
Edw^d Wheler." (b)

(a) The Date appears, by Reference back, to be August 15, 1778.

(b) Vide Appendix, N^o CCXX.

To prove that the evasive Conduct of the Rajah Cheit Sing was complained of by the Resident,

Read, from the same Book, the following Extract of a Consultation of the 28th September 1778, beginning at Page 362 of the same.

“ Fort William, 28th September 1778.

“ At a Council; Present,
The Honble. Warren Hastings, Governor General, President;
Richard Barwell,
Philip Francis, } Esquires.
Edward Wheler, }

Pub. Dept.
Monday.

“ Read, the following Letters from Mr. Graham, Resident at Benares.

“ I think it necessary to inform you, that notwithstanding Seventeen Days are elapsed since your Orders arrived here, directing the Rajah to pay into my Hands the Subsidy he had agreed to pay of Five Lacks of Mutchilidar Rupees, he has not yet paid me one Rupee, and offers as a Reason his Inability to discharge the Whole at once, and requests me to receive it by monthly Payments; your Honble. Board Orders authorizing nothing of the Kind, I have acquainted him that it is impossible for me to come into his Request, and have repeated my Requisition, which I have indeed been urging every Day since the Receipt of your Orders, to pay me the whole Amount as speedily as possible. Resident at Benares.

“ Benares,
the 14th September 1778.
“ I have the Honour to be, with the highest Respect,
Honble. Sir, and Sirs, &c.
(Signed) Tho^r Graham, Resident.
(Signed at the End of the Consultation)

“ Warren Hastings,
Rich^d Barwell,
P. Francis,
Edw^d Wheler.” (a)

To prove that the Rajah Cheit Sing paid only One Half of the Five Lacks of Rupees by the 22d September 1778,

Read, from the same Book, the following Extract of a Consultation of the 5th October 1778, beginning at Page 510 of the same.

“ Fort William, 5th October 1778.

“ At a Council; Present,
The Honble. Warren Hastings, Governor General, President;
Philip Francis,
and
Edward Wheler, } Esquires.
Mr. Barwell indisposed.

Pub. Dept.
Monday.

“ Honble. Sir, and Sirs,
“ I have the Pleasure to acquaint your Honble. Board, that last Night the Rajah made me a Payment of Fifty thousand Rupees in Part of the Subsidy of Five Lacks, he has promised to send me as much more Tomorrow or next Day; and if the Whole is not discharged very soon, it shall not be owing to any Want of Exertion on my Part to perfect the Execution of your Orders. Mr. Graham, 22d Sept.

“ Benares, .
22d September 1778,
I have the Honor, &c.
(Signed) Tho^r Graham, Resident.
(Signed at the End of the Consultation)

“ Warren Hastings,
Rich^d Barwell,
P. Francis,
Edw^d Wheler.” (b)

(a) Vide Appendix, N^o CCXXI.

(b) Vide Appendix, N^o CCXX, supra.

To shew that the Rajah Cheit Sing did not perform the above-mentioned Promise, and that fresh Complaints against him were sent by the Resident,

Read, the following Extract of a Consultation of the 19th of October 1778, beginning at Page 673 of the same Book.

“ Fort William, 19th October 1778.

Pub. Dept.
Monday.

“ At a Council; Present,
The Honble. Warren Hastings, Governor General, President;
Richard Barwell,
Philip Francis, } Esquires.
Edward Wheler, }

Mr. Graham.

“ Honble. Sir, and Sirs,

“ I did myself the Honor of addressing your Honble. Board on the 22d ultimo, to inform you that I had received from the Rajah Fifty thousand Rupees, in Part Payment of the Subsidy of Five Lacks which he had agreed to pay the Company, and that I was promised a further Payment of Fifty thousand Rupees the next or following Day.

“ That Period and Three Days more having elapsed without hearing any Thing either from the Rajah or his Servants regarding the promised Payment of Fifty thousand Rupees, I judged it necessary to remind the Rajah thereof by Letter, as well as to recommend to him a speedy Discharge of the Remainder. This Mode of Application having several Times repeated unsuccessfully, I deemed a personal Interview not only indispensable but highly consistent with my Duty, on which Occasion I verbally demanded of him, in the Name of the Company, Payment of the Balance of the Subsidy; in Reply to which he acquainted me that he would pay no more here, but would send the whole remaining Sum of Rupees 4,50,000 to his Vakeel at Calcutta, who would pay it there. Finding him determined in this Resolution, I desired he would furnish me with some Testimony thereof, either by an Address to your Honble. Board, or, as it is more customary, to the Governor General, that I might transmit it to him; but this he positively refused me.

“ These Circumstances I have thought it my Duty to inform you of, that you may honour me with your Commands thereon; likewise as to the Manner in which you would chuse I should remit the Fifty thousand Benares Sicca Rupees that have been paid me.

“ Benares,
7th October 1778.

I have the Honour to be, &c.
Thomas Graham, Resident.

(Signed at the End of the Consultation)

“ Warren Hastings,
Rich^d Barwell,
P. Francis,
Edw^d Wheler.” (a)

The Counsel for the Defendant informed the House it was already in Evidence, that upon the 28th of September 1778, the Board found it necessary to make a more peremptory Demand upon the Rajah Cheit Sing for the Payment of the above Sum of Money; and stated, They should next read the Letter written to him by the Governor General upon his shewing a Design to liquidate the Payment of it at last.

Read, from Book 90, already delivered in, the following Letter from the Governor General to the Rajah Cheit Sing, dated the 11th October 1778, beginning at Page 50 of the same Book.

“ To Rajah Chite Sing, written the 11th October 1778.

“ I have received your Letter containing Assurances of your Fidelity and Attachment, and intimating that, conformably to my Directions, you had assented to the Payment of Five Lacks of Rupees, and communicated your Content in a former Arzie, and that, afterwards being informed it was my Pleasure that the Whole should be paid at one Time in Calcutta, you would remit the Whole in the Space of a Week, with other Particulars which I understand.

“ I am pleased at the Intimation of your Assent to my Desire respecting the Mode of Payment of the aforesaid Sum, although it arrived some what late, and I doubt not but you will faithfully discharge your Promise, by making the Remittance to Calcutta at the specified Time. Whilst you continue faithfully and zealously attached to the Company, you may be assured that every Measure will be adopted which may promote your Interest and Prosperity: Know me ever interested in your Welfare. For further Particulars I refer you to your Vakell Sheik Ally Nuchey.”

To shew that the Payment was not in Fact liquidated till the 10th of October following,

Read, from Book 511, already delivered in, the following Extract of a Consultation of the 12th October 1778, beginning at Page 567 of the same Book.

“ Fort William, 12th October 1778.

“ At a Council ; Present,
The Honble. Warren Hastings, Governor General, President ;
Philip Francis, } Esquires.
Edward Wheler, }
Mr. Barwell indisposed.

Pub. Dept.
Monday.

“ The Secretary lays before the Board the following Note from the Governor General.

Governor General to the
Secretary.

“ Sir,

“ I herewith send you Four Bills of Exchange this Instant delivered to me by Shekh Ally Nuckee, the Vakell of Rajah Cheit Sing, being Four Lacks and a Half of Rupees, which with Fifty thousand Rupees paid to Mr. Graham, complete the Sum of Five Lacks required of the Rajah for the extraordinary Expences of this Year.

“ Saturday Morn.
10th October 1778.

I am, &c.

(Signed) Warren Hastings.
(Signed at the End of the Consultation)
“ Warren Hastings,
P. Francis,
Edw^d Wheler.”

To prove the Instructions given to the Resident to refrain from the Execution of the former Orders, upon the Receipt of the above Sum of Money,

Read, a further Extract from the same Consultation, beginning at Page 568 of the same Book.

“ Fort William, 12th October 1778.

“ At a Council ; Present,
The Honble. Warren Hastings, Governor General, President ;
Philip Francis, } Esquires.
Edward Wheler, }
Mr. Barwell indisposed.

“ To Mr. Graham.

“ Sir,

“ Rajah Cheyte Sing has, by Means of his Vakeel, remitted Bills of Exchange to us for the Sum of Four Lacks and Fifty thousand Rupees, which, with the Amount paid into your Hands, will complete the Subsidy of Five Lacks required as his Proportion of the Burthen of the War with France for the present Year : We therefore direct that you refrain from the Execution of the Orders contained in our last Letter.

“ Fort William,
the 12th October 1778.

We are, &c.

“ Warren Hastings,
P. Francis,
Edw^d Wheler.”

The Counsel for the Defendant informed the House they should close their written Evidence on the Demand of the First Year, with shewing that the Khelaut, a customary Honour, was bestowed upon Cheit Sing notwithstanding his former Disobedience, and that the same was accompanied with an Admonition to future Obedience.

Read, from Book 512, the following Extract of a Consultation of the 7th of December 1778, beginning at Page 591 of the same Book.

“ Fort William, 7th December 1778.

“ At a Council ; Present,
The Honble. Warren Hastings, Governor General, President ;
Richard Barwell, } Esquires.
Philip Francis, }
Edward Wheler, }

Pub. Dept.
Monday.

“ Honble. Sir, and Sirs,

“ Rajah Cheyte Sing having pitched upon this Day as a lucky one to receive the Honour of the Khelaut, I accordingly invested him with one in the usual Form, and delivered to him at the same Time your Honble. Board's Farrickhatty, or Release for his last Years Tribute. I did not fail

fail on this Occasion to remind him how much a Continuation of such Marks of your Favor depended upon his regular Adherence to his Engagements with the Company.

“ I have, in compliance with the Orders contained in your Honble. Board's Letter of the 22d October, furnished Rajah Cheyte Sing with Translate of the Depositions sent me inclosed, concerning the Murder of the Subedar belonging to Captain Osborne's Battalion; * have acquainted him of its being your Desire that the Offenders be apprehended and brought to Justice.

“ Benares, 9th Nov. 1778.

“ I have the Honour to be,
Thos^r Graham.” (a)

(No Signatures at the End of the Consultation.)

The Counsel for the Defendant stated, That having now closed the written Evidence on the Subject of the Demand of the First Year, they should proceed to shew that on the 19th of July, in the Year following, it was resolved to repeat the Demand; for which Purpose they should read an Extract from a Consultation of that Date already in the Minutes, but not read by the Managers for the Commons;

Read, the same, from Page 88 of the printed Minutes.

“ Agreed, That the Governor General be requested to write to Rajah Cheit Sing, acquainting him that the Period of One Year, for which he agreed to pay Five Lacks of Mucklidar Rupees, as his Share of the Burthen of the War with France, on the 17th August 1778, is expired; and as the Continuation of the War makes it still necessary to maintain the same Establishment of Troops for the Defence of the Country, the Board deem it requisite that he should at this Time contribute the further Sum of Five Lacks of Mucklidar Rupees, as his Share of the Charge for the current Year; Mr. Graham has therefore been directed to apply to him for the same.

“ Warren Hastings,
P. Francis.
Edward Wheler.”

To shew that the Governor General did accordingly write to the Rajah Cheit Sing in consequence of the above unanimous Resolution,

Read, from Book 516, already delivered in, the following Letter from the Governor General to the Rajah Cheit Sing, dated the 21st July 1779, beginning at Page 35 of the same Book.

“ To Rajah Cheit Sing, written the 21st July 1779.

“ 44. The Term of your Engagement for the Payment of an annual Subsidy as your Share of the Expence of the War being expired, and the War still continuing, and the same Force being necessary to be kept up, I am therefore to desire that you will pay to Mr. Thomas Graham the further Sum of Five Lacks of Muchledar Rupees as your Proportion for the present Year. Mr. Graham has accordingly Orders to receive it from you, and it is necessary that you do not delay to pay it to him.

The Counsel for the Defendant stated, That they should next read an Extract from a Consultation already on the Minutes, but not read by the Managers for the Commons, to shew that, notwithstanding the above Injunctions against Delay, fresh Complaints were made by the Resident on the 16th of August following of the Rajah's Conduct in this Respect.

Read, the same, from Page 88 of the printed Minutes.

Secret Dept.
Thursday.

“ Fort William, 26th August 1779.

“ At a Council; Present,
The Honourable Warren Hastings, Governor General, President;
Richard Barwell, } Esquires.
Philip Francis, }
Edward Wheler, }
Lieutenant General Sir Eyre Coote, K. B.

“ Read and approved the Proceedings of the 16th Instant.

“ Read the following Letters from Mr. Thomas Graham.

“ Honourable Sir, and Sirs,

“ Immediately on the Receipt of your Honourable Board's Letter of the 19th ultimo, directing me to demand of Rajah Cheyt Sing Payment of the Sum of Five Lacks of Muchlidar

(a) Vide Appendix, N^o CCXXIII.

Rupees,

Rupees, as his annual Proportion of the Burthen of the present War with France, I waited upon him, and at the same Time that I communicated the Orders of your Honourable Board to myself, I delivered to him the Honourable the Governor General's Letter to him in Confirmation thereof. He then gave me for Answer, that he had not the Ability to discharge the Demand. As this was similar to the Answer he gave me when I demanded Payment of his Subsidy for the last Year, I did not consider it as a definitive one, and therefore continued in renewing my Demand every Second Day; finding, however, that he holds to the Terms of his first Reply, and seeing no Probability of a speedy Change in his Sentiments, I am unavoidably reduced to the Necessity of applying for your Honourable Board's further Instructions on this Head. Until they arrive, I shall follow the Orders already sent me, by repeating my Request for Payment every Second or Third Day.

" Benares,
the 16th August 1779.

I have the Honour to be, &c.

(Signed) Tho^r Graham, Resident.

(Signed at the End of the Consultation)

" Warren Hastings,
P. Francis,
Edw^d Wheler."

The Counsel for the Defendant informed the House, that in consequence of the above Letter from the Resident, the First Measure of Compulsion was taken against the Rajah Cheit Sing, and they should proceed to shew, that it was notified to him by the Governor General, in order to prevent the Necessity of pursuing it.

Read, from Book 23, already delivered in, the following Letter from the Governor General to the Rajah Cheit Sing, dated August 28, 1779, beginning at Page 41 of the same Book.

" To Rajah Chite Sing, written the 28th August 1779.

" 25. I have received your Letter in Reply to the one I wrote to you, requiring the Payment of Five Lacks of Rupees as your Share for the present Year of the Expences of the War, and am greatly astonished at your Refusal and pretended Plea of Inability, it being very inconsistent with the Duty you owe to the Company. I now repeat my Demand, that you do, on the Receipt of this, without Evasion or Delay, pay the Five Lacks of Rupees into the Hands of Mr. Thomas Graham, who has Orders to receive it from you, and Authority, in case of your Refusal, to summon the Two Battalions of Sepoys under the Command of Major Carnac, to Benares, that Measures may be taken to oblige you to a Compliance; and in this Case, the whole Expence of this Corps from the Time of its March will fall on you."

To prove the Resident's ineffectual Endeavours to obtain Compliance from the Rajah, notwithstanding his frequent Applications to him for that Purpose,

Read, from Book 55, already delivered in, the following Extract of a Consultation of the 13th of September 1779, beginning at Page 44, of the same Book.

" Fort William, 13th September, 1779.

" At a Council; Present,

The Honble. Warren Hastings, Governor General, President,

Edward Wheler Esquire,

Lieutenant General Sir Eyre Coote K. B.

Mr. Barwell and Mr. Francis indisposed.

" In my Address of the 15th ultimo I acquainted your Honble. Board with my Proceedings to that Time regarding the Demand of Five Lacks, made on the Rajah as his Proportion of the Burthen of the War with France; since then I have, as I informed your Honble. Board I should, renewed my Application for Payment, either verbally or by Letter, every Second or Third Day, but his Answer has been uniformly the same, that he has not the Ability to discharge it. I have, exclusive of these repeated Applications, also used every Argument in my Power to convince him that, as a Subject of Government, it was a Duty inseparable from his Allegiance to afford every Assistance it might require whilst it was engaged in a War, and that a Denial under such Circumstances was never admitted of.

" I shall continue to impress him with those Sentiments, and to urge him to make Payment, until I receive the further Instructions of your Honble. Board for my future Conduct.

" I have the Honour to be, &c.

(Signed) Tho^r Graham, Resident.

(Signed at the End of the Consultation)

" Warren Hastings,
Edw^d Wheler."

To

To shew that the Resident informed the Board of his having communicated to the Rajah the Orders he had received from the Board, to send for Major Carnac's Detachment,

Read, from Book 112, already delivered in, the following Extract of a Consultation of the 29th September 1779, beginning at Page 628 of the same Book.

" Fort William, the 29th September 1779.

" At a Council; Present,
The Honble. Warren Hastings, Governor General, President;
Richard Barwell, } Esquires.
and
Edward Wheler, }
Mr. Francis indisposed.
Sir Eyre Coote gone to review the Army.

" The Proceedings of the 16th instant read and approved.

" Read the following Letters from Mr. Graham, Resident at Benares.

" Honble. Sir, and Sirs,

Mr. Graham,
10th Sept.

" I had last Night the Honor of receiving your Letter of the 26th ultimo, directing me to repeat the Claim which your Honble. Board had thought proper to make of Rajah Cheite Sing for Five Lacks of Rupees, as his annual Proportion of the Expence of the present War, and empowering me, in case of his persisting in refusing Payment, to require Major Carnac with Two Battalions of Seepoys to march to this Place, and to wait your further Orders.

" Having also received the Honble. the Governor General's Persian Letter to the Raja on the Subject, I have sent it to him with a Letter from myself, requiring his immediate Compliance with the Orders contained therein, and desiring that he would forthwith send a Person properly qualified to make Payment to me of the Five Lacks of Rupees; and further to send me a Reply to the Governor General's Letter. I shall immediately do myself the Honour to address you on the Receipt of his Answer, which I flatter myself will prove satisfactory, and that I shall not be under the Necessity of making use of the discretionary Power which your Honble. Board have been pleased to lodge in me in order to compel him to Payment.

" Benares,
the 10th September 1779.

I have the Honour to be, &c.

(Signed) Tho^s Graham, Resident.

(Signed at the End of the Consultation)

" Warren Hastings,
Edw^d Wheler." (a)

To shew that the Resident continued to make fresh Complaints of the Rajah's Conduct,

Read, a further Extract from the same Consultation, beginning at Page 629 of the same Book.

" Honble. Sir, and Sirs,

" I have this Day received an Answer from Rajah Chite Sing to the Letter which I informed your Honble. Board I had written to him on the 10th, requiring his Compliance with your Orders, wherein he sends me an Answer to the Governor General's Letter, which I have transmitted to him, and acquaints me with his having consented to the Payment of the Five Lacks of Rupees. As he still holds forth his original Plea of Inability, I have every Reason to apprehend he will be very dilatory in his Payments, I beg therefore to be favoured with your Honble. Board's Orders as to the Conduct which in such Cases I must observe towards him.

" Benares,
the 12th September 1779.

I have the Honor to be, &c.

(Signed) Tho^s Graham, Resident." (b)

To shew that repeated Orders were sent to renew the Demand upon the Rajah Cheit Sing on the Part of the Company,

Read, a further Extract from the same Consultation, beginning at Page 630 of the same Book.

" Honble. Sir, and Sirs,

" I have herewith the Honor to transmit you Twelve Bills of Exchange for the Sum of Calcutta Sicca Rupees 1,85,145 6 16 1, drawn in Favor of the Honble. Company, as per accom-

(a) Vide Appendix, N^o CCXXIV.

(b) Vide supra Appendix, ibid.

panying Invoice, being on Account of Rajah Chite Sing's Kist, due the 4th instant, and in Part Payment of his annual Tribute.

" Although Four completed Days are now elapsed since I had the Honour of informing you of the Rajah's having consented to the Payment of the Five Lacks of Rupees, and although I sent him a suitable Reply to the Letter he wrote me on the Occasion, and at the same Time repeated my Request for a Person being sent to me sufficiently qualified for discharging the Amount, no one has yet come, nor has any Money been paid me; on the contrary, through his Vakeel, he has solicited to be indulged with Time, but without specifying any Period, which leaving Room for no other Answer than to desire him to conform to the Orders he had received from your Honble. Board, through the Channel of the Governor General, I have sent a Person to attend at his Durbar to require his speedy Compliance therewith.

" Benares,
the 16th September 1779.

I have the Honour to be, &c.

(Signed) Tho' Graham, Resident." (a)

Read, a further Extract from the same Consultation, beginning at Page 634 of the same Book.

" Governor General.—As it appears by the last of the above Letters from Mr. Graham, that Rajah Cheyte Sing, whose present Ability to discharge the full Amount of the Sum demanded of him cannot be doubted, is endeavouring to amuse our Resident with Delays; and as his Reply, though it professes an Intention of Compliance with his Claim, is a plain Evasion of it; I think Mr. Graham, according to the Spirit of the Orders he had received, ought to have required the immediate March of Major Carnac's Detachment to enforce Payment from the Raja; but as he has omitted the Act in this Manner, and as it appears to be his Intention to wait for the further Orders of the Board, I move that the Contents of his Letter be imparted to the Commander in Chief, and that he be desired to send Orders forthwith to Major Carnac to march without Delay in conformity to his former Instructions, giving Notice of the Day on which he shall move from his present Station to Mr. Graham; that the Expences of the Detachment from that Time until its Return may be charged to the Rajah; and that Major Carnac do continue his Route with the Two Battalions under his Command to Benares, unless Mr. Graham, upon the full Receipt of the Subsidy, shall notify to him that there is no Necessity for his proceeding. I further move, That Letters to the same Effect be prepared and dispatched to Mr. Graham and Rajah Cheyte Sing." (b)

Read, a further Extract from the same Consultation, beginning at Page 635 of the same Book.

" Sir,

" As it is implied by the enclosed Copies of Letters which we have received from our Resident at Benares, That Rajah Cheyte Sing means to protract if not entirely to evade Payment of the Five Lacks of Rupees, required of him as his Share of the Expences of the War for the current Year, by his distant and illusory Promises, although there can be no Doubt of his present Ability to discharge the Demand if he thought proper, we conceive that some effectual Means should be taken to compel him to it. Letter to Sir Eyre Coote.

" Mr. Graham has not yet required the March of Major Carnac's Detachment, in Obedience to the Letter of our Orders to him, we therefore request that you will issue fresh Orders for this Detachment to repair forthwith to Benares, and there to wait according to your former Instructions, unless Mr. Graham in consequence of the full Receipt of the Subsidy shall inform the Officer in Command of it, that his Proceeding is thereby rendered unnecessary. It will be proper likewise to direct that the Day of March be notified to Mr. Graham, in order to enable him to claim the Expences of the Detachment from that Time until its Return to Dinapore, from the Rajah.

" Fort William,
the 29th September 1779.

We are, &c."

" Sir,

" We have received your Letters of the 10th, 12th, and 17th instant.

" As we conceive, that the Rajah means to amuse you with vague and distant Promises, and thereby to protract, if not entirely to evade, Payment of the Sum required as his Proportion of the Expences of the War for the current Year; we are of Opinion that compulsory Means should be immediately used to oblige him to discharge it, since there can be no Doubt of his present Ability; we have therefore desired the Commander in Chief to issue his Order to Major Carnac To Mr. Graham.

(a) Vide supra, Appendix, N° CCXXIV.

(b) Vide Appendix, ibid.

to march forthwith to Benaras with the Detachment under his Command, and there to wait our further Orders, unless you in the mean Time, from the actual Receipt of the Subsidy, shall inform him that it is unnecessary to proceed any further. Major Carnac will advise you on what Day he shall have marched from Dinapore; and we direct that you insist on the Rajah's paying the Expences of the Detachment from that Time till its Return to the same Place, exclusive of the Subsidy for the War.

“ Fort William,
the 29th September 1779.

We are, &c.” (a)

Read, a further Extract from the same Consultation, beginning at Page 6, 2 of the same Book.

“ Honble. Sir, and Sirs,

“ I had the Honour of addressing you last Night, informing your Honble. Board of the Steps I had taken towards obtaining Payment of the Five Lacks of Rupees from Rajah Cheyte Sing. I this Day received a Letter from him, of which I beg Leave to submit to your Consideration the following Translate :

“ The Situation of my Affairs is well known to you, and I have repeatedly represented the Particulars to you. The Five Lacks of Rupees on Account, a Proportion of the Expence of the War, conformably to the Injunctions of the Honble. English Company, I have for this Time agreed to pay, neither am I dilatory or inattentive in providing for its Discharge; but the Amount is considerable, and can only be liquidated by Degrees. Within the Space of Four Months I will pay it to you by Instalments, to the End of the Month of Zelkidge (corresponding nearly to the Middle of the English Month of January ensuing) I will compleat Payment of the Whole.—What is now preparing is Part of the aforesaid Sum of Five Lacks shall be paid to you on Thursday next, the 12th of Rumzau. My Thoughts are not a Moment at rest from this Matter: But from incessant Applications, Inconveniencies are occasioned to the Provision, and my Endeavours are interrupted. From your Indulgence I will discharge the Amount in the Manner above specified.”

“ I shall be glad to be honoured with your Orders on the Subject of the foregoing Letter. In the Interim I considered it consistent with the Spirit of those Orders, already received from your Honble. Board, to reject the Propositions therein contained, and to repeat my Demand for the Whole without Delay.

“ Benares,
the 17th September 1779.

I have the Honor to be, with the utmost Respect,
(Signed) Tho' Graham, Resident.” (b)

To prove that the Rajah Cheit Sing still continued to make Excuses,

Read, from Book 24, already delivered in, the following Letter from the Rajah Cheit Sing to the Governor General, received on the 25th September 1777, beginning at Page 276 of the same Book.

“ From Rajah Chite Sing to the Governor General, received 25th September 1779.

“ I have been honoured with your gracious Letter, urging me in the strongest Terms to the Payment of Five Lacks of Rupees, on account of the Share of the Expences of the War for the present Year; and understand your Pleasure, regarding your Highness as my Matter. In the Representation which I sent you of my Poverty and absolute Inability, I had no View of preserving my Property, and deceiving you by false Pretences; but I had really no Property left but what is apparent to every Body, such as Elephants, Horses, &c. which for the Support of my Credit I am obliged to keep, since that Credit is the Gift of your Highness's Bounty: But since you have been pleased to direct that I should raise the Sum by any Means I can, I regard it as the Effect of my evil Destiny that the Representation of my Situation had no Weight, and submit to the Necessity of this once complying with your Order, notwithstanding the Greatness of my Poverty which exceeds all Description; I will make good the Sum gradually by the Disposal of my Effects, and by Loans, the Particulars of which I cannot fully explain to you.

“ Since you have honoured me, your most faithful and obedient Dependent, with the greatest Marks of Favour and Regard, even to the honouring me with the Title of your Son, I am hopeful from the Continuance of that Regard, that you will in future continually keep in View my Welfare and Interest, and will be kindly pleased to excuse me from Services which are beyond my Ability to perform, on a Compliance with which my Support, nay even Life, and the Prosperity of the Country depends.”

(a) Vide supra Appendix, N° CCXXIV.

(b) Vide supra Appendix, ibid.

To shew that the Resident was reduced to the Necessity of sending for the Detachment to compel Payment, notwithstanding all his Endeavours to effect it without,

Read, from Book 56, already delivered in, the following Extract of a Consultation of the 25th October 1779, beginning at Page 21 of the same Book.

" Fort William, 25th October 1779.

" At a Council; Present,

The Honourable Warren Hastings, Governor General, President;

Philip Francis, } Esquires.

Edward Wheler, }

Mr. Barwell indisposed.

Sir Eyre Coote gone to visit the different Stations of the Army.

Public Dept.
Monday.

" Read, the following Letters from Mr. Graham.

" Honourable Sir, and Sirs,

" Rajah Cheyte Sing not having yet compleated Payment of One Lack of Rupees, in Part of his Subsidy of Five Lacks, notwithstanding, agreeable to his own voluntary Proposal, whereof I transmitted you a Translate in my Address of the 17th ultimo, he ought Twelve Days ago to have paid me a Lack and Twenty-five thousand; I have, believing it to be consistent with the Spirit of your Honble. Board's Instructions, dated the 26th August, in order to enforce Payment, this Day written to Major Carnac, requiring him with the Detachment under his Command to march to this Place with all convenient Expedition.

Mr. Graham;
3d October.

" Benares,
3d October 1779.

" I have the Honour, &c.

(Signed)

Tho^r Graham, Resident.

(Signed at the End of the Consultation)

" Warren Hastings,

P. Francis,

Edw^d Wheler." (a)

Read, a further Extract from the same Consultation, beginning at Page 23 of the same Book.

" Honble. Sir, and Sirs,

" I have been honoured with the Receipt of your Letter of the 29th ultimo.

Mr. Graham;
15th October.

" My Address to your Honble Board of the 3d instant, acquainted you not only of the Rajah's Continuation to procrastinate the Payment of the whole Subsidy, but of his Failure in particular in the Payment of that Proportion which he had himself voluntarily fixed a Time for discharging; and of my having in consequence sent the necessary Notice to Major Carnac to march with the Detachment under his Command to this Place: Your further Instructions on this Subject now before me shall be punctually attended to. The Rajah, notwithstanding he has been repeatedly made acquainted with your Honble Board's determined Resolution to obtain speedy Payment, and of the Consequences attended * on Delays, has only to this Day paid me the Sum * Sic in Orig. of One Lack and nineteen thousand Rupees.

(Signed at the End of the Letter)

Tho^r Graham, Resident." (b)

The Counsel for the Defendant stated, That the Whole of the Money was not paid till the Arrival of the Detachment, as would appear from the printed Minutes *, and from Three Letters received by the Board from the Resident, which they should now read.

Read, from Book 112, already delivered in, the following Extract of a Consultation of the 28th of October 1779, beginning at Page 729 of the same Book.

" Fort William, 28th October 1778.

" At a Council; Present,

The Honble. Warren Hastings, Governor General, President;

Richard Barwell,

Philip Francis,

and

Edward Wheler, }

Esquires.

Sir Eyre Coote gone to visit the different Stations of the Army.

Secret Dept.
Thursday.

" Read, the following Letter from Mr. Graham.

(a) Vide Appendix, N CCXXV.

* Vide supra, Page 90 and 92.

(b) Vide supra Appendix, ibid.

Mr. Graham,
19th October.

" To the Honble. Warren Hastings Esquire, Governor General, and the Rest of the Members, &c.

" Honourable Sir, and Sirs,

" The Purpose of this is to inform you that the Dynapore Detachment, under the Command of Captain Crabb, arrived here this Morning, and have for the present encamped contiguous to Ramnagur. As the Rajah has only yet paid Half the Amount of the Subsidy, viz. 2,50,000. Rupees, One Lack of which was paid me Yesterday, I conclude therefore that in two or Three Days more he will discharge the Whole; at least he acquainted me so by the Person who came with the last Payment. I shall send your Honble. Board such Information of his Conduct.

" Benares,
the 19th October 1779.

I have the Honour to be, with the utmost Respect,
(Signed) Thomas Graham, Resident."

(No Signature at the End of the Consultation)

Read, the following Extract of a Consultation of the 1st November 1779, beginning at Page 759, of the same Book.

" Fort William, the 1st November 1779.

" At a Council; Present,

* See in Orig.

The Honourable Warren Hastings, Governor General, and Council, *

Richard Barwell,
Philip Francis,
Edward Wheler, } Esquires.

Sir Eyre Coote gone to visit the different Stations of the Army. :

Resident at
Benares.

" Honourable Sir, and Sirs,

" I have to acquaint you that the Rajah has this Day paid me the Sum of One Lack Ninety thousand Rupees, which makes the whole Sum received from him on account the Subsidy, Benares Sicca Rupees Four Lacs Forty thousand, The remaining Sum of Sixty thousand he has promised to discharge To-morrow.

I have the Honour to be, &c.

" Benares,
the 20th October 1779.

(Signed) Tho^s Graham,
Resident,

(Signed at the End of the Consultation)

" Warren Hastings,
P. Francis,
Edw^d Wheler." (a)

Read, a further Extract from the same Consultation, beginning at Page 760 of the same Book.

Resident at
Benares, has
received the
Remainder of
the Subsidy;

" Honourable Sir, and Sirs,

" I have the Pleasure to inform you, that Rajah Cheyt Sing has made good the Payment of the Subsidy of Five Lacs, and is in Readiness to be disposed of in such Manner as your Honourable Board may think proper to direct.

requires an
Estimate from
the Command-
ing Officer of
the Expences
of his Detach-
ment.

" The better to enable me to make the necessary Demand of the Rajah for the Expences of the Detachment, I required an Estimate from the Officer commanding, which he having in consequence furnished me with, I enclose a Copy thereof, together with a Copy of his Letter, for your Honourable Board's Information. I have, agreeable thereto, called upon the Rajah for the Proportion due to the present Time; I expect his Answer To-morrow, when I shall have the Honour of again addressing you.

calls on the
Rajah for the
Payment of
the same.

I have the Honour, &c.

" Benares, 22d Oct. 1779.

(Signed) Tho^s Graham."

Read, the following Extract from the printed Minutes, beginning at Page 90, of the same.

" Triplicate, Secret General Letter, dated 14th January, Fort William, 1780.

" To the Court of Directors.

9th July.

" 41. We thought it necessary and consistent to demand a further Contribution of Five Lacks of Rupees from Rajah Cheyt Sing, for his Part of the Expences of the War for the current Year, being the same Sum as he paid towards that End for the last Year.

(a) Vide Appendix, N^o CCXXVI.

(b) Vide supra Appendix, ibid.

" The Rajah strongly pleaded his Inability to comply with this Demand, and even suffered us to send Two Battalions of Sepoys from Dinapore to Benares, to enforce the Payment, before he would grant it; at length, however, with much Difficulty, the Amount was received from him, added to a Penalty of 20,000 Rupees, for the Expences of the Two Battalions until their Arrival at Benares.

26th Aug.
29th Sept.
28th Oct.
1st Nov.
14th Nov.

" 42. We shall make but this short Observation upon the Conduct of the Rajah, That whither it proceeded from the Apprehension of establishing a Precedent for exceeding the Sum of his annual and stipulated Revenue, or from a Sense of Independence, it was equally unreasonable, and an ungrateful Return for the Benefits which he has been allowed to derive from the Company's Protection.

" Fort William,
14th January 1780.

" We are,
Honourable Sirs,
Your most faithful
Humble Servants,
Warren Hastings,
P. Francis,
Edw^d Wheler."

The Counsel for the Defendant informed the House, they had now concluded their Evidence respecting the Subsidy of the Second Year, and should next proceed to give Evidence respecting the Subsidy of the Third Year.

Read, from Book 26, already delivered in, the following Extract of a Consultation of the 12th June 1780, beginning at Page 460 of the same Book.

" Fort William, the 12th June, 1780.

" At a Council; Present,
The Honourable Warren Hastings, Governor General, President;
Philip Francis Esquire,
Mr. Wheler indisposed.

Secret Dep.
Monday.

" Governor General.—By the proposed Plan of Operations the Subsidy which we have hitherto received from the Rana of Gohud will cease. All that we can require of him will be to join our Forces with the Quota of his Troops stipulated by the Treaty; it will therefore become necessary to provide a Military Fund for the Payment of this Detachment. I propose to the Board, as the Season is now approaching in which our Demand upon Rajah Cheyt Sing for the Payment of his annual Contribution towards the Expences of the War should be made, we do immediately instruct our Resident at Benares to apply to him for the Sum of Five Lacks of Rupees, which Sum I propose shall be appropriated solely to the Payment of Major Carnac's Detachment.

(Signed at the End of the Consultation)

" Warren Hastings,
P. Francis,
Edw^d Wheler." (a)

The Counsel for the Defendant stated, that, in consequence of the Governor General's Plan, whereof the Proposal just given in Evidence was a Part, Two Members of the Board delivered in a joint Minute on the 19th of June following, in which they considered this Subsidy as forming a Part of their general Estimates for the Year; and that they should only read as much of that Minute as applied to this Subject.

Read, from Book 26, the following Extract of a Consultation of the 19th of June 1780, beginning at Page 468 of the same Book.

" Fort William, the 19th June 1780.

" At a Council; Present,
The Honourable Warren Hastings, Governor General, President,
Philip Francis,
Edward Wheler, } Esquires.

Secret Dep.
Monday.

Lieutenant General Sir Eyre Coote absent on a Visit to the different Stations of the Army.

" 4th. Because the proposed Anticipation of the Demand of Five Lacks from the Rajah of Benares, and the sole Appropriation of it to this Service, is no Relief of Expence or Increase of Re-

Meff. Francis
and Wheler's
Minute, dated
15th June.

source, since the above Five Lacks make Part of our General Estimate of Resource for the Service of the current Year; and if applied to any Service not provided for in the same Estimate, will leave a Deficiency which must be made good out of some other Fund.

(Signed at the End of the Consultation)

“ Warren Hastings,
P. Francis,
Edw^d Wheler.” (a)

The Counsel for the Defendant stated, that it being already in Evidence (b) that the Demand was actually made on the 22d of June 1780, they should next read a Letter from the Resident, stating the Readiness shewn by the Rajah Cheit Sing to comply with this Demand, and which was upon the printed Minutes, but which had not been read by the Managers for the Commons.

Read, the same from the printed Minutes, P. 93.

“ Fort William, the 7th September, 1780.

Secret Consultation.

“ At a Council; Present,
The Honourable Warren Hastings Governor General, President;
Edward Wheler, Esquire,
Lieutenant General Sir Eyre Coote, K. B.
Mr. Francis indisposed.

“ Read, the following Letter from the Resident at Benares.

“ Honourable Sir, and Sirs,

“ In Obedience to your Orders of the 22d ultimo, I have demanded of Rajah Cheyt Sing the Sum of Five Lacks of Muchlidar Rupees, as his Proportion of the Burden of the present War with France. The Rajah has desired me to inform you of his intire Submission to Commands. He has promised to pay One Lack of this Amount within a few Days. I shall immediately advise your Honourable Board of the Receipt of it; and shall remit it upon the most advantageous Terms, I can obtain. I shall likewise urge the Rajah, in the strongest Manner possible, to use the utmost Expedition in the Discharge of the remaining Part.

“ I have herewith the Honour to inclose you 14 Bills of Exchange, for the Sum of Calcutta Sicca Rupees, 1,61,819 : 4 : 13 : 1, drawn in Favour of the Honourable Company, as per accompanying Invoice, being the Balance on Account of Rajah Cheite Sing's Kist, due the 4th Instant, after Deduction of the Nabob Saadut Ally Cawn's Monthly Allowance of Standard Gourshay Rupees 25,000.

I have the Honour to be, with the greatest Respect, &c.

“ Benares,
21 July 1780.

(Signed) “ F. Fowke,
Resident at Benares.”

The Counsel for the Defendant stated, they would next proceed to shew in what Manner the Rajah fulfilled this Promise.

The Witnesses next produced a Book marked 535, and entitled “ Bengal Letters Sent, being Part of the Correspondence deposited in the Resident's Office at * Benares 1775, † at 1781, received per Houghton, the 20th January 1791.”

* Sic in Orig.
† Sic in Orig.

Read, the following Letter from the Resident at Benares to the Governor General, &c. dated the 5th August 1780, beginning at Page 302 of the abovementioned Book.

“ To the Honourable Warren Hastings Esquire, Governor General, &c. &c. &c.

“ Fort William.

“ Sir,

“ I have the Honour to enclose Rajah Cheyte Sing's Answer to your Letter respecting the Subsidy, which I received with Mr. Colebrooke's Letter of the 28th of last June.

“ The Rajah has informed me of the Request contained in the enclosed; and has desired me to make the same Request ‡ in his Part, in a public Letter to the Board. This I have refused to do; the Order of the Council leaves no Opening for such an Application. The Exigencies of Government are great, and the early Notice given has the Appearance of a particular Provision. These Reasons I have assigned to the Rajah, and have strongly urged the immediate Payment of

(a) Vide Appendix, N^o CCXXVIII.

(b) Vide supra, p. 92.

(1915)

the Balance. I reminded him of the Riches he received from his Father, of the flourishing State of his Country, and of the easy Terms on which he holds it; and I added, that receiving * the Affair in this Point of Light, his Plea of Poverty and Inability must appear highly ridiculous. I shall continue my Demands upon the Rajah for immediate Payment; but I am afraid they will be attended with little Effect, till the Receipt of your further Commands. • Sic in Orig.

" I have the Honour to be,

Sir,

" Benares, 5th August 1780.

" Yours, &c."

(No Signature).

The Counsel for the Defendant stated, that they should complete their Evidence respecting the Demand of the Third Year, by reading Two Letters from the Board, one to the Resident, and the other to Brigadier General Stibbert, already on the printed Minutes, but not read by the Managers for the Commons :

Read, the same from the printed Minutes, beginning at Page 95 of the same.

" Agreed, that the following Letter be written to the Resident at Benares.

" Sir,

" We have received your Letter of the 5th instant, informing us that the Rajah, notwithstanding his solemn Assurances, has hitherto paid no Part of the Balance of his Subsidy, specified in your Address of the 27th ultimo: That he had resumed his Plea of Inability, and that you could form no Opinion how long he might think proper to protract the Payment. This Conduct of the Rajah seems to us without Excuse. We direct therefore, that you demand instant Payment of the Balance due of his Subsidy; and if he shall not have discharged it at the Time of your Receipt of this Letter, that you exact from him, in the Name of the Board, the further Sum of One Lack of Rupees, as a Fine for his past Disobedience. To enforce the Compliance due to our Authority, and to the Payment of the Sums required of him, we have given Orders that the Battalions, at the Stations nearest to Benares, should march immediately to that Place, and wait for such Directions as may hereafter be transmitted to the Officer commanding there.

" Fort William, 19th October, 1780.

" We are, &c.

(Signed) Governor General and Council."

" Agreed, that the following Letter be written to Brigadier General Stibbert.

" Sir,

" Having had late Occasion to be much dissatisfied with the Conduct of the Rajah of Benares towards this Government, in withholding the Payment of the Amount due from him as his Subsidy, we think it necessary to direct, and do direct you to issue Orders to the Commanding Officers of the Battalions, at the Stations nearest to Benares, to march immediately to that Place, and wait such further Orders as may hereafter be transmitted to them. To General Stibbert.

" Fort William,
19th October 1780.

" We are, &c.

(Signed) Governor General and Council."

Then the Lords adjourned to the Chamber of Parliament.

Die Jovis, 3^o Maij 1792.

THE Lords being in their Places, the House resumed, the usual Proclamations made, and the Defendant appearing at the Bar, the Lord Chancellor informed the Counsel for the Defendant, they might proceed with their Evidence.

The Counsel for the Defendant stated, That the next Subject on which they should produce Evidence, was the Fourth and last Demand made upon the Rajah Cheit Sing during the War, to assist the Company with such Part of his Cavalry as he could spare; for which Purpose they should begin with a Minute of Sir Eyre Coote, when the Idea was first started of bringing down Cavalry for the Defence of the Province of Bahar.

Read, from Book 30, already delivered in, the following Extract of a Consultation of the 4th September 1780, beginning at Page 55 of the same Book.

“ Fort William, 4th September 1780.

“ At a Council; Present,
The Honble. Warren Hastings, Governor General, President;
Edward Wheeler Esquire, and
Lieutenant General Sir Eyre Coote, K. B.
Mr. Francis indisposed.

Secret Dept.
Monday.

“ 4th September 1780.

“ Sir Eyre Coote.—It has never since my first entering upon public Life fallen to my Share to deliberate on a Business of such Extent and Importance as the present Crisis of the Company's Affairs in India, and unequal as I find myself to the Task of devising Means in my own Mind as well approved, as to leave me without a Doubt of their extricating them from the more than common Difficulties in which they are at present involved; nevertheless do I find myself called upon, equally by a Regard for the Interests of my Nation and my Employers, to suggest such Measures as in my Judgement appear best calculated to repel those Evils which have already fallen upon the Company's Possessions in the Carnatic, as well as to avert, if possible, the further Calamities with which their Interests in general are threatened.

“ I am well aware of the very great Disadvantages under which I shall here give my Opinions; I mean the Expectations entertained from this Quarter, both by the Company and the Nation, of Resources to ratify those Conditions unavoidable on a Renewal of the Charter; but whilst not in Possession of those Resources, and whilst the very Spring from whence they are supposed to flow, and I trust they may still at a future Period be derived, is itself in Danger, I flatter myself I shall stand exculpated in the Eyes of my King, my Country, and my Employers, in recommending the Adoption of Measures for the Security of so important an Object to all, however opposite they may be to the immediate Hopes of the Public.

“ In the present Exigency of our Affairs, with no Money in our Treasury excepting the War Deposit in our new Fort, and which I have been taught to understand the Demands against us, both from the Civil and Military Establishments have nearly, if not entirely mortgaged, added to the Knowledge we have, that our Receipts of Revenue are barely adequate to defray our present Disbursements, it behoves us to consider in what Manner the Extraordinaries attendant upon the extensive Wars, we are now engaged in, are to be supplied. (a)

(Signed at the End of the Consultation)

“ Warren Hastings,
Edw^d Wheeler.”

(a) Vide Appendix, N^o CCXXIX.

Read, a further Extract from the same Minute and same Consultation, beginning at Page 64 of the same Book.

" I say, for these most important Purposes, I would recommend a sufficient Army being formed to the Southward; but to the good Effects of this salutary Measure I cannot help observing, that I perceive a very powerful Obstacle, and which I should be happy to see removed, I mean a Maratta Army on the Confines of Cattach, and now laying in considerable Force on our Borders. As they have had no Enemy to oppose, and as we have as yet neither made, or threatened to make, any Encroachments upon their Territories in that Quarter, I should be glad to be informed of the Cause and Purpose of their being there; the more especially, as I have been told that for upwards of Eleven Years past they have never once shewn themselves in those Parts.

" To this Query it may be answered, That as they have been there for some Months, and have offered us no Harm, they are our Friends. As a Military Man I must declare that the Circumstance itself in the Effects it produces disproves the Allegation; Were they invited into their present Situation by us, or did they come to suppress any Disturbances that had arisen there? If neither of these has been the Case, they must be an Army of Observation, leagued with those who wish no good to our Affairs, and have proved more injurious to our political Interests than if they had absolutely entered our Territories, in which Case we could immediately have applied the Remedy: But as they have conducted themselves, they have, by forming a Barrier on our Frontier in the high Road of Communication with our Possessions on the Coast, encouraged, covered, and given Spirit and Confidence to Hyder Ally's Transactions in the Carnatic; whilst they have on the other Hand served * as to check and destroy every favourable Effect that might have resulted from our Operations; and so alarmed and intimidated our Inhabitants, that there is not a Man amongst them of any Race or Denomination with whom I have conversed, and I have had full Opportunity, in coming into the Country, to learn their Sentiments, who has not expressed his Fears of their coming into this Country, and in such Case pointed out his own defenceless State, and the Dependence he had upon us, as holding the only Power to afford him Protection. Under the Influence of these Apprehensions, many are preparing, and some I am informed are actually removing their Property and Families to Places which appear to them more secure: With such incontrovertible Evidence of the Prejudice done to the Ease and Happiness of our Subjects by the Continuance of this Force at Cattack, is it possible that I should so totally overlook my Duty to the Public, both in my Civil and Military Capacity, as not to be anxious to disburthen our Affairs of a Weight, which may impede every Operation we wish to carry on, either offensive or otherwise.

" It is therefore my Opinion, That under whatever Authority they may be, an immediate Application should be made for them to retire, as their remaining where they are disturbs the Peace of our Provinces. This Requisition will soon discover the Reality of their Intentions towards us; and in order that we may not suffer ourselves to be further injured by Delays, a Time should be stipulated for receiving an Answer; should this be denied us, our own Safety and Interests will dictate to us how to act.

" I must further point out the Necessity of covering the Province of Bahar, which now lies open and exposed to the Incursions even of small Parties of the Enemy; for this Purpose I recommend the giving immediate Orders for completing our Two Regiments of Cavalry, and calling them down as soon as the Season will admit, for its Protection.

" I do not apprehend at this Time any Danger to the Viziers, Provinces, as the Troops stationed in those Parts, when properly arranged, will, exclusive of our Cavalry, be more than sufficient to prevent the Marratas from entering them.

" It should however be strongly recommended to the Vizier to be attentive to the keeping up a respectable Body of Horse; and the Resident directed to urge the Necessity of their being regularly and punctually paid.

" As these are the Outlines necessary to be first considered, I shall not take up the Attention of the Board further at present, but reserve what I have still to propose until the detail of the Business shall be entered upon.

(Signed) Eyre Coote." (a)

The Counsel for the Defendant stated, That the Subject of protecting the Bahar Province was again taken up on the 18th of September, and they should proceed to read an Extract from the Consultation of that Date,

Read, the following Extract of a Consultation of the 18th September 1780, beginning at Page 213 of the same Book.

(a) Vide Appendix, N^o CCXXIX.

(1519)

" Fort William, the 18th September 1780.

" At a Council ; Present,
The Honble. Warren Hastings, Governor General, President ;
Edward Wheler Esquire,
and
Lieutenant General Sir Eyre Coote K. B.
Mr. Francis indisposed.

Secret Dep.
Monday.

" The Board agree with the Commander in Chief in the Sentiments expressed in the above Minute, and refer it to him take such Precautions and to pass such Orders as may be immediately necessary to guard against the Event of an Invasion. (a)

(Signed at the End of the Consultation)

" Warren Hastings,
Edw^r Wheler."

The Counsel for the Defendant stated, That the above being the Situation antecedent to the Arrival of the News of Colonel Baillie's Defeat, they should next produce a Letter from Sir Edward Hughes to the Board, giving an Account of that Misfortune.

Read, the following Extract of a Consultation of the 22d September 1780, beginning at Page 247 of the same Book.

" Fort William, the 22d Sept^r. 1780.

" At a Council ; Present,
The Honourable Warren Hastings, Governor General ; President,
Edward Wheler Esquire,
Mr. Francis, and
Lieut. Gen. Sir Eyre Coote indisposed.

Secret Dep.

Read, a Letter from Sir Edward Hughes, as follows :

" Sir, and Gentlemen,

" I arrived in this Road on the 12th instant, with his Majesty's Ships named in the Margin, in order to complete their Provisions and Stores for the Passage to the Malabar Coast and Bombay ; at which Place my Arrival is most earnestly pressed by the Presidency, by Letters of the 14th August last, enclosing Extracts of Intelligence from the Court of Directors, dated the 24th March last, giving Information of Seven capital Ships having sailed from France, with 7000 regular Troops, and supposed to be intended against Bombay, and which corresponds with Cautions given me before I left England, as well as all the Intelligence I have of late received.

Sir Edward
Hughes,
14th Sept.

Superb,
Warrenter,
Edw^r Wheler,
Barnard,
Baker,
Sutton,
Nelson,
York Street,
thp.

" On that Day it was greatly feared some untoward Accident had prevented the Junction of a large Detachment of Europeans and Sepoys, under the Command of Lieut. Col. Baillie, with the Army under the Command of Sir Hector Munro ; sorry am I to tell you, that last Night's Advices from the Army have given Certainty of the Destruction, not only of the Whole of Lieut. Col. Baillie's Detachment, but also of a Reinforcement sent to support it, consisting of all the European Grenadiers and Light Infantry, and all the Sepoys Grenadiers of the Army, making together more than 400 Europeans, and 3000 Sepoys, with about 50 Officers ; and, in consequence of this Disaster, the Army under Sir Hector Munro has retreated to Chinglaput, on its Rout to the Mount, in great Want of every Thing, and, as the Report is, having lost the Whole of their Cannon and Baggage : In short, Sir and Gentlemen, as far as my Knowledge of Land Service afflicts me, it appears to me, that under the present Circumstances, and with all the Force this Presidency can possibly bring into the Field, they will be in no Condition to face the Enemy, unless you send them a large and timely Reinforcement of Troops ; nor will Troops alone save this sinking Settlement, for I am assured by the Governor, that they have no Money in the Treasury, nor any evident Means of raising it, in any Proportion adequate to their present Exigencies.

" Under all these Circumstances, I trust you will not think me importunate, if I recommend to your most serious Consideration, the imminent Danger there is of the Loss of the Company's very valuable Possessions on this Coast, unless you give them that effectual and timely Succour of Men and Troops absolutely necessary to save them, for the present Force with Hyder Ally is not all they have to contend with ; I have not a Doubt that a regular Plan of Operations is settled between him and the French, and that a very large Body of regular Troops will, by some Means or other, be sent to Hyder's Assistance.

" Strongly impressed as I am with this Certainty, and the Possibility and even Probability that the French may bring a superior Naval Force into these Seas, I think it my indispensable Duty to warn you, Sir, and Gentlemen, of the evident Necessity there now exists to guard not only the Company's Territories on this Coast, but Fort St. George itself, from the Arm of France and Hyder at this Time, when the whole national Strength is required to make Head

against the combined Force of France, Spain, and our rebellious Colonies; and that this may be the more easily and effectually done, I must earnestly wish and recommend that, laying aside all other Plans of Operation against the Mharattas or any other Country Powers, the Three Presidencies do heartily concur, by every Means both of Men, Money, and Treaties, to reduce this habitual Foe to the English Nation, within due Bounds; in the effecting of which, and every other Service for the public Good, you may be assured of my most hearty Concurrence and best Assistance.

"As His Majesty's Sloop Nymph is destined for further Service of the utmost Consequence to the Public, and which requires her speedy Return to join me here, I have directed Captain Stevens, who commands her, to proceed no farther than Ballasore Road; but I trust, Sir and Gentlemen, you will do me the Honour to communicate to me fully, before I leave this Coast, your Sense of the State of the public Affairs, as well as your Opinions on the most proper Mode of conducting them, that my Want of Information may not preclude me from the active Part I wish to take in all Things for the Interest of the Company and the Nation.

"I am, &c.

"Superb, in Madras Road,
14th September 1780.

*(Signed)

"Edward Hughes." (a)

(Signed at the End of the Consultation)

"Warren Hastings,
Edw^d Wheeler."

The Counsel for the Defendant stated, they should next read a Minute of the Defendant's, entered on a Consultation of 25th of September following, proposing, among other Things, to refer it to the Commander in Chief to offer a Plan for the Military Operations of the Government on this Occasion, as appertaining to his separate Province.

Read, the following Extract of a Consultation of the 25th September 1780, beginning at Page 341 of the same Book.

"Fort William, the 25th September 1780.

"At a Council; Present,

The Honble. Warren Hastings, Governor General, President;

Philip Francis, } Esquires.
Edward Wheeler, }

and

Lieutenant General Sir Eyre Coote, K. B.

"The Governor General delivers in the following Minute:

"Governor General.—This is not a Time either for long Deliberation at Home, or the formal and tedious Process of Negotiation Abroad. The Calamity which has befallen us upon the Coast, and the alarming Superiority which Heyder Ally Cawn has acquired in the Carnatic; the Despondency of the Government of Fort Saint George; the Consternation and Distrust which seem to have spread themselves among all those who are subject to it * Authority, its utter Want of present Means and Resources; the Diminution of their Military Strength, and its declared Insufficiency for the War which it is to sustain; and above all, the authentic Informations which we have received of a great Naval and Military Armament prepared by the Court of France, and destined, beyond all Doubt, to co-operate with Hyder Ally, demand the most instant, powerful, and even hazardous Exertions of this Government, to avert the Event portended by so many concurrent Difficulties; to this Point every other Consideration must now give Place. Without further Preface I propose the following Resolutions:

"1st. That the Sum of Fifteen [†] Laaks of Rupees be immediately sent to Fort St. George in Specie, and laden for that Purpose on the Honourable Company's Ship the Duke of Kingston, and the other Vessels which are now on the Point of sailing for Madras.

"2d. That the Treasure deposited in the New Fort, including the Moiety, lately taken from it, be all replaced in the General Treasury, to be applied to the preceding Purpose, and other Exigencies of this Government.

"3d. That a large Detachment of European Infantry and Artillery be immediately sent to Fort St. George, by the Duke of Kingston, and the other Vessels which are now on the Point of sailing for Madras. To this Proposition, as a necessary and essential Part of it, I must add the following, viz. That the Commander in Chief be requested, and I do, for my own Part, make it my most earnest and particular Request, that he will proceed himself immediately to the Coast, and take the Command of the Army on that Establishment. The Commander in Chief will pardon this formal and official Solicitation. I know the Ardor of his Zeal for the public Service;

and that this Principle will of itself impel him to be, wherever it shall most require his Presence; but I think this a Case in which it would mark too great an Indifference to the public Welfare, and too cold a Sense of the Utility of his Services, to leave the Offer of them to his unfolicited Opinion. I make no Scruple to avow, that although I am convinced that the Danger impending on our Interests in the Carnatic might be easily repelled, even with the Force which it already possesses for its Defence, yet I cannot place any Reliance upon it, unless it shall be properly applied and conducted; that I do not think it has been properly applied, nor expect that it will be properly conducted, unless Sir Eyre Coote will at this Crisis stand forth and vindicate in his own Person the Rights and Honour of the British Arms. I mean not to compliment his military Experience; * and above all, the high Estimation in which his Name is held by the World, and especially by that Part of it, where it was principally acquired, mark him as the only possible Instrument to retrieve our past Disgraces, or to preserve the British Interests and Possessions in the Carnatic from utter Ruin.

* Sic in Orig.

“ Our Armies, which have been so long formed to the Habits of Conquest, will not easily recover from the Impression of the dreadful Reverse which has lately befallen them, nor be brought to act with the former Confidencies under unsuccessful Commanders. The Addition of Numbers will not relieve their Apprehensions, and will but contribute to oppress the Hands which have been already proved too weak to sustain the Weight of an inferior Charge.

“ 4. That an immediate Offer of Peace be made to the Maratta State in the Mode and in the Conditions following; viz. That as the Ministers of that State have professed a Desire for Peace, which has been equally the Wish of this Government, even from the Commencement of the War, and as the Attainment of it seems to have been hitherto impeded by the Difficulty of managing a Negotiation between the Principals, situated at so great a Distance from each other; to preclude all further Delays, we do at the same Time offer Peace, and bind ourselves to the Observance of it, on their Acceptance and Ratification of the following Conditions; viz.

“ 1st. That all Acquisitions made by our Forces in the Course of the War, and retained in our Possession as the Property of the Company, shall be delivered up and restored to the same Footing as that on which it stood before the Commencement of the War, but that such as have been conquered and ceded to others, in virtue of former Treaties, shall remain and be confirmed to the Persons to whom they were so ceded, and the Treaties concluded with them remain firm and inviolate.

“ 2d. That a Provision be made for the Maintenance of Ragonaut Row during his Life; and that he shall be permitted to reside where he pleases, excepting Bombay, or any Place nearer to Bombay than Surat; but shall receive no Assistance from the Governor General and Council of Bengal, nor from any other Presidency of the Company; nor, if he shall chuse any of the Company's Presidencies or Settlements for the Place of his Residence, shall he be permitted to reassert his Pretensions to the Administration of the Maratta State, without the entire and universal Consent and Requisition of all the Members of the State, who are included as Parties in this Treaty.

“ 3d. That the Peshwa and Rulers of the Maratta State shall agree to an Alliance, offensive and defensive, with the Company against the French and Hyder Ally Cawn, and shall immediately employ their Forces, in conjunction with ours, in the Invasion of his Dominions, and in the Prosecution of such Operations † against him as the Circumstances of the War, and the Judgement of those who have the Conduct of it on both Sides shall determine; and if, in the Course of it, any Acquisition of Territory shall be made, these shall be equally shared between the Parties to this Engagement, in such Manner as shall be most suitable to the Situation and Contiguity of the Places or Dominions at this Time respectively held by them.

† Sic in Orig.

“ 4th. That, if the Peshwa shall not agree to the proposed Alliance, Peace be nevertheless concluded, each Party retaining what it hath acquired, or that a Suspension of Hostilities shall take place on both Sides during ‡ one Year from the Date of the Treaty, for the Purpose of negotiating the Terms of a future and perpetual Adjustment.

‡ Sic in Orig.

“ 5th. That the Treaty shall be concluded with the Mediation and Guarantee of Raja Moodajee Boosla, who shall be a subscribing Party to it, and shall bind himself and his Successors to the faithful Observance and Support of it.

“ 6th. That the Treaty shall be sealed, signed, and sanctified by the respective Parties to it, with the most solemn Oaths prescribed by their respective Religions.

“ 7th. That One Copy of the Treaty, executed in the Manner above prescribed by the Governor General and Council of Bengal, being received by the Peshwa or his Ministers, Two Copies or Counterparts thereof shall be in like Manner executed by the Peshwa and principal Rulers of the Maratta State, and Raja Moodajee Boosla, as the Guarantee to it, in the Manner above-mentioned; and shall be transmitted, One to the Government of Bombay, and the other to General Goddard, or to the Officer commanding the Detachment sent from Bengal, that all Hostilities may immediately cease on both Sides, and each provide for the due Execution of the Treaty; but until the Treaty shall be thus ratified on the Part of the Peshwa, it shall not be binding on the Governor General and Council; neither shall it be binding, unless it shall be so ratified within Two Months after the Receipt of it.

“ 8th. That a Letter be written to the President and Select Committee of Bombay, and a similar Order to General Goodard and Major Carnac, requiring and commanding them immediately

to suspend all Hostilities and military Operations on the Receipt of a Requisition in Writing to that Effect, and a Notification from the Peshwa, that the like Order has been given on his Part to the Officers commanding his Armies; and that the Peshwa be advised of these Orders, that, if desirous of Peace, he may make the said Requisition and Notification accordingly.

" 6th. That the Treaty being executed by the Governor General and Council, in the Manner specified by the 6th and 7th Articles of the 4th Resolution, it be forwarded to Modajee Borla, with Two blank Copies of it, that if he should approve of it, it may be previously ratified on his Part as Guarantee, and transmitted, with the Treaty executed by this Government, to the Peshwa, for his Ratification, in the Manner prescribed by the 6th and 7th Articles of the 4th Resolution.

" This is all that I propose, as immediately necessary. The Commander in Chief will offer such a Plan for the Distribution of our Troops and other military Arrangements, as appertain to his separate Province.

" Other subsidiary Measures may be the Subjects of future Deliberation.

" Agreed, That the Consideration of the foregoing Propositions be deferred until the next Meeting.

" The Board adjourned till To-morrow Morning at 10 o'Clock.

" Warren Hastings,
P. Francis,
Edw^d. Wheler."

The Counsel for the Defendant stated, That the Commander in Chief, in consequence of the above Reference to him, delivered in his Plan on the following Day, which they should now read, together with the Minutes of the rest of the Board on that Occasion.

Read, the following Extract of a Consultation of the 26th September 1780, beginning at Page 358 of the same Book.

" Fort William, the 26th Sept. 1780.

At a Council; Present,
The Honourable Warren Hastings, Governor General,
Philip Francis, } Esquires.
Edward Wheler, }
Lieut. General Sir Eyre Coote, K. B.

" Mr. Francis delivers in the following Minute on the Propositions recorded by the Governor General on Yesterday's Proceedings.

" Mr. Francis.—I am earnestly desirous of giving every Assistance and Relief to the Presidency of Fort St. George that Prudence and a due Regard to our own Safety will admit of; our Endeavours to provide for the Security of the Company's other Possessions in India should always be guided and limited by the fundamental Principle laid down for us by the Court of Directors in our general Instructions, to make the Safety and Prosperity of Bengal the principal Object of all our Deliberations and Resolutions; and I trust that the Board will not lose Sight of this Principle in the present Debate.

" 1st. I see many Objections to the Governor General's first Proposition. The Sum of 15 Lacks in Specie is much too great for this Government to spare from its own pressing Occasions; nor do I think that so great a Sum ought to be trusted at once to the Gentlemen of Madras, if our Treasury were full; if we supply them gradually and with Moderation, it is probable they may apply our Money with Oeconomy to the Service for which we intend it; if not, I very much fear it will not only be misapplied, but wasted. Before we part with any Thing, we ought to look into the State of our own Treasury, and see what Supplies can be afforded from it, consistently with the immediate Demands and other indispensable Services of this Government.

" We had Yesterday an apparent Balance of 44 Lack of Current Rupees, including 4,65,196 Bills, receivable, 1,26,990, unforted Treasure, and Deposits of private Property to the Amount of C. R^s 16,51,653. This is our actually existing Fund. The Paymaster General's immediate Demand on this Fund is for 17 Lack 59,556, other Orders unpaid amount to C. R^s 15,91,441. The Civil Service, I believe, is universally in Arrears, the Artillery Lascars, the Artificers, and all the Sepoy Battalions, except one, are Three Months in Arrears. On the Fifth of next Month, the Paymaster General will call upon us for C. R^s 5,47,000, exclusive of any Bills that may be drawn by General Goddard and Major Carnac; put these Demands together, and see in what State we shall be left when they are satisfied, as some of them at least must be, without Delay. In effect, we have no Fund to meet our most pressing Expences; nor do I see by what Means it will be possible to create such a Fund as our Situation requires. Before we have a considerable Sum in Hand I would not undertake to send large Supplies to the other Presidencies. For these Reasons I think

think that the present Supply to Fort St. George should not exceed Half the Sum proposed; nor could any Thing but their pressing Necessities extort even this Sum from me in the present State of our Treasury.

" 2d. If it depended on me, I would rather take Measures to increase the Deposit in the New Fort than proclaim our Distress to all India, by taking away the Residue now left there. It is a dreadful Consideration that a Government, such as this, should not at all Times have a Reserve of 20 or 30 Lack in Specie at its Command.

" 3dly. On the First Part of the Third Proposition, I must submit to the Judgement of the Commander in Chief, whether a large Detachment of European Infantry and Artillery can be spared with Safety from the Defence of Fort William, and of these Provinces. It is not ascertained by what Conveyance they are to be sent. The Kingston, it is said, may be ready in Ten Days, but this is the only Ship now under Orders for sailing, and it is feared, that even she will arrive on the Coast at a Time when it may be very difficult, if not impossible, to land the Stores or Men. I deem this to be a Point of very great Consequence, and hope the Board will attend to it. As the Governor General declares that he is convinced that the Danger impending on our Interests in the Carnatic might be easily repelled, even with the Force which it already possesses for its Defence, if properly conducted, I concur in the Request proposed to Sir Eyre Coote; but I do not see the same Necessity for sending a Reinforcement of Troops.

" 4th. I agree to the Fourth Paragraph, with the following Reservations, viz. that all Acquisitions whatever on the Malabar Coast, made by us since the last Rupture with the Poonah Government, shall be restored. I could not continue the War for the sake of keeping Futy Sing in Possession of any Part of Guzerat. With respect to the Rana of Ghoid, I would secure him, if possible, in the Possession of whatever is properly his own Dominion; but I would keep Grolior, which is a Royal Fortress, and not his, to be made use of in our Accommodation with the Maratta; that is, I would exchange it for Basein, and garrison it until that Point can be accomplished. I agree to the Article respecting Ragonaut Rory, except that he should not be permitted to reside at Bombay; and if he could be removed entirely from that Coast to some other Residence, I think that one principal Cause and Instrument of future Quarrel with the Marattas would be thereby removed.

" On the Third and Fourth Articles of the Fourth Proposition I am of Opinion, That we ought to make Peace with the Marattas at all Events, because I deem it a Case of indispensable Necessity which supercedes all other Considerations; it is undoubtedly much to be desired that they should join with us against Hyder Ally; but in our present Circumstances it is of itself a Point of so much consequence, and will give us so great a Relief to put an End to the War with the Marattas, that I think it ought not to be embarrassed with any Conditions which they can reasonably refuse. All they desire, as I understand, is that we should restore them their Property: They are content to sit down with the heavy Losses and Distresses they have suffered in the Course of our different Invasions of their Country. I shall not object to the Mode proposed for obtaining a speedy Determination of the Question, whether the Marattas will accede to our Proposal or not. The Governor General knows better than I do what Dependence is to be placed in the Zeal and Friendship of Moodajee Boosla. For my own Part I fear Delays, and am inclined to think, that if Major Popham, or some other Officer from that Quarter, were sent to Poonah with the Treaty in his Hand, it would be the shortest Course, and the most likely to succeed.

" I submit to the Board whether, in case the Marattas should not join in an offensive Alliance with us, it would not be proper to insert an Article in the Treaty, to provide for the free Passage of General Goddard's Army through their Country, and its Return home, supposing we should at any Time think fit to demand it. I have not mentioned the Recall of Major Canac's Detachment, nor any Thing that relates to the Arrangement of the Troops for the Defence of these Provinces, especially to the Southward towards Cuttack, as I understand these Points have been duly attended to by the Commander in Chief, in whose Care and Judgement I confide. I think it would be proper to recommend it to Sir Eyre Coote, to insist on the Restoration of Mr. Holland to his Rank in the Company's Service, from which he was dismissed by a most arbitrary and unjust Resolution of a Majority of the Select Committee, formed by the casting Voice of the President: It was an Indignity to this Government, which we ought to rise at, as well as an Injury to Mr. Holland, which we are particularly bound to repair, since it was drawn upon him by his Compliance with our Instructions; I need hardly add that, in the present Juncture, his Services at the Nizam's Court may be turned to the most advantageous Account. An offensive Alliance with this Prince seems to me one of the first Objects to be aimed at; and with some Concessions, which its Effect would cost us nothing, I should think it might easily be accomplished.

" But there still is another Point which I deem essential to the Success of every Measure we take for the Defence of the Carnatic, and which I must again beg Leave to bring into View. I mentioned it Yesterday in Discourse, and if we are unanimous, I should have no Scruple to record my Opinion of it; if we are not unanimous, the Subject had better not be mentioned.

" These Ideas are thrown together I confess with much less Care and Deliberation than the Importance of the Subject of them demanded. The Shortness of the Interval since the Close of Yesterday's Council,

Council, obliges me to defer entering into many other important Considerations which are suggested to me by a general View of our Situation.

" I beg Leave to annex an Abstract State of our Treasury, with the present and immediate Demands upon it.

" State of the Treasury 25th September 1780.

Whole Balance	—	C. R.	44,12,895	10	6	
Deduct Deposits of private Property	—	—				16,51,653 15 1
Orders to the M ^r Paymaster General unpaid	—	—				17,59,556 0 0
Deduct the Civil Establishment unpaid	—	—				15,91,441 0 0
Demand of the Mr. Pay. Mr. Gen ^l for the 5th of next Month	—	—				5,47,000 0 0
Public Offices for October estimated	—	—				2,60,000 0 0
						<hr/>
						58,09,650 15 1
26th September, Ordered this Day to Madras	—	—				15,00,000 0 0
						<hr/>
		Curt Rup ^d	—			73,09,650 15 1
						<hr/>

(Signed) " P. Francis."

" The Governor General.—As the principal Part of the Resolutions which I had proposed for the present Deliberation of the Board depends on the Reliance which I had placed on the Disposition of the Government of Berar, I request that the Board will permit Beneram Pundit, the Minister of that Government, to attend them, and answer such Questions as may be put to him, for the Purpose of satisfying all Doubts which may remain respecting the Credit which is to be given to the Propositions of that Government; he is now waiting, if the Board should think proper to order his Attendance.

" Ordered, That Beneram Pundit be desired to attend the Board.

" The Minister Beneram Pundit attends the Board accordingly.

" Mr. Nathaniel Middleton, being in waiting, is called in to interpret between the Board and Beneram Pundit.

" The Governor General.—With the Permission of the Board I will propose the First general Question to be put to Beneram Pundit.

" Question. The Board desire to be informed generally of the Disposition and Intention of your Master, the Rajah of Berar, respecting this Government, and that of the Paishwa in such Points as have a Common Relation to both?

" Answer. To the Paishwa my Master is bound by his Faith and his Religion, to this Government by a strict Friendship. The Rajah's Desire is to become the Instrument of effecting a Reconciliation between the Paishwa and this Government.

" Question. If we shall employ him as the Instrument of Peace, and the Mediator between us and the Paishwa, and the Terms that we may offer shall be such as his Master shall approve, will he in such Case be the Pledge to us for the Concurrence of the Paishwa; or in case he cannot answer for that Event, and our Offers shall be rejected, the Treaty be broken off, and the War continued, what Part will your Master take in such a Case? Will he preserve his Neutrality between us, or will he take a Part actually as our Friend or as our Enemy?

" Answer. The Rajah is willing to pledge himself, that in case he should be employed as the Instrument of Peace, and the Mediator between the Two Governments, and the Terms proposed by the Company shall be approved by him, that they will be accepted by the Paishwa; if they are not, the Rajah himself will become the Company's Ally, and assist the Company to the utmost of his Abilities.

" Question. You have said that the Rajah of Berar is bound to the Paishwa by his Faith and Religion, and you now say that if the Paishwa will not ratify his Approbation of our Proposals he will be our Ally, how can he be in any Case our Ally, if he is bound to the Paishwa by his Faith and Religion?

" Answer. If the Terms proposed by the Company be reasonable, and rejected by the Paishwa, a Breach of Faith is on the Paishwa's Side, and my Master will be justified in becoming the Company's Ally. The Rajah has written to me, that in case the Paishwa rejects the Terms, he will quit his, the Paishwa's, Cause, and become the Company's Ally.

" Question. In the Answers which you have given, have you spoken from Authority, or from your own Belief only?

" Answer. I have spoken from the Authority of my Master's Letters. I am an Ambassador.

" Question

" Question. If your Master is so desirous of Friendship with the English, what Occasion is there for keeping up a large Army at Cuttack, which he must do at a great Expence ?

" Answer. My Master is obliged to keep up Appearances in Conformity to a Plan concerted by Nizam Ally Khan.

" Question. With whom is that Plan concerted ?

" Answer. With the Paishwa, with Nana Furnesse.

" Question. Is the Rajah, Party to that Agreement between the Nizam and the Paishwa ?

" Answer. He is not. When Dewagur Pundit, the Dewan of Rajah Moodajee was at Cuttack, Letters were received from Nizam Ally Khan by him and Nana Furnesse, declaring that as the Rajah, his Master, was the Means of introducing the English Army into Decan, Nizam Ally and Nana Furnesse had formed a Plan in which he must take a Part, and that he must march an Army to invade Bengal.

" Question. When did Chimnaje Baboo, Commander of the Army at Cuttack, receive his Dispatches ?

" Answer. The Army marched on the Day of the Dufforah, and arrived at Cuttack at the End of Byfac. *

* The Day of the Dufforah last Year was on the 5th of Cautic, which answers to the 19th October 1779. The last Day of Byfac 1187, answers to the 11th May 1780.

" Question. In the Postscript of the last Letter written to the Governor General by the Rajah, he refers the Governor General to you concerning Aids to be given to Chimnaje Booslah, what were the Orders which you received upon this Subject ?

" Answer. The Rajah writes to me, that a Supply of 16 Lack of Rupees will be needful, but that 12 Lack at all Events will be indispensably necessary. This Money will not be lost, it will be made good from the Acquisitions that will be made by the* untet * Operations of the Company's * Sic in Orig. and Rajah's Troops.

" Question. Were this Government to comply with such a Requisition, what Security or Nedge has it, or can it have, that the Army, for whose Benefit it is intended, will unite with us, or that it will not act against us ?

" Answer. The Reputation of the Family of Boosla is of long standing; it is not possible that the Rajah could sacrifice or risque it, or violate his Faith for a Consideration of 12 or 16 Lacks of Rupees.

" Question. Would you yourself take upon you to be answerable for the Fidelity of your Master in such a Case ?

" Answer. My Master writes, that he is the firm Friend of the English; to the Truth of which, God is Witness on the Faith of this Declaration. I can venture to pledge myself for my Master's Fidelity.

" Question. Do you think this Assurance a sufficient Voucher for this Government, acting in Trust for the Interests of the Company, and of the King of England ?

" Answer. Yes, I think it is. The Rajah himself has written to the Governor General, and pledged his Faith;—I pledge my Faith.

" Question. Will you be personally answerable to this Government, that the Force now at Cuttack will in no case enter our Provinces if not provoked by Hostilities on our Part ?

" Answer. My Master's Faith is in my Hands, and pledged to me; on the Strength of that I can venture to be answerable, that the Force now at Cuttack will in no case enter the Company's Provinces, if not provoked by Hostilities on their Part.

" Question. If that be the Case, can your Master have any Objection to the Removal of the Force from Cuttack if this Government should think it necessary ? The Position of it at Cuttack gives alarm to the People of these Provinces.

" Answer. He will have no Objection if this Government desire they should be removed.

" Question. Will you be answerable, that if we desire to send a Reinforcement to our Settlements on the Coast, their Passage shall not be opposed or interrupted by the Army now at Cuttack, or otherwise, by the Rajah ?

" Answer. I will be answerable that they shall not be opposed or interrupted by the Army now at Cuttack, or otherwise, by the Rajah.

" Question. Is the Rajah at this Time stronger in Forces, or richer in Revenue, than he was a Year and a Half ago, when General Goddard was at Hoshunagabad ?

" Answer. He is not richer in Revenue, but has more Troops.

" Question. What Force had the Rajah on actual Establishment at the Time when General Goddard was at Hoshunabad ? *

" Answer. He had 5,000 Horse belonging to his own House, and 10,000 the Property of the Riders, and 7,000 Patun Jagheerdars.

* Sic in Orig.

“ Question. What is his present Strength ?

“ Answer. I do not know my Master's present Force at Naighpore, but I know that 30,000 Horse are at present at Cuttack.

“ Question. Are the whole of the 30,000 Horse at Cuttack paid by your Master, or is any Number of them paid by the Ministers at Poonah ?

“ Answer. They are entirely under my Master's Orders, and have no Connection with the Ministers at Poonah.

“ Question. Are there not 5 or 6,000 Horse in the Army at Cuttack, called Poonah Wallahs, or denominated from Poonah ?

“ Answer. There are Men who have come from Poonah, who may be called Poonah Wallahs, but they are all the Rajah's Servants.

“ Question. If Hyder Ally Cawn should have entered into an Alliance with the French King, and have received from him such an Assistance of Ships of War and Soldiers as would give him a Superiority in the War in which he is engaged with the English in the Carnatic, how do you understand that such an Event would interest the Paishwa, and the other Rulers of the Maratta State ?

“ Answer. The Paishwa, and the other Rulers of the Maratta State, could not be pleased with such an Event, as they would have every bad Consequence to expect from such an Acquisition of Power and Strength to Hyder Ally, who is their natural Enemy, and has already conquered their Country as far as the Kistna, and with such an Accession of Strength would not stop there.

“ Question. In the Third of the Requisitions stated by Dewagur Pundit on the Behalf of the Paishwa, it is expressed, that no Demand for the Reimbursement of Expences shall be made on either Side ; Pundit Purdhan and the English Gentlemen, shall recover their heavy Expences by uniting themselves and jointly attacking their Enemies ; who do you understand to be meant by the Term Enemies ?

“ Answer. Hyder Naig ; there is no other Enemy.

“ The Board proceed to consider the Governor General's Propositions delivered in his Minute recorded Yesterday.

“ First, ‘ That the Sum of Fifteen Lacks of Rupees be immediately sent to Fort St. George in Specie, and laden for that Purpose in the Honble. Company's Ship the Duke of Kingston, and the other Vessels which are now on the Point of sailing for Madras.’

“ Sir Eyre Coote.—I agree to the Proposition.

“ Mr. Wheeler.—I am of Opinion that we cannot furnish from our present Funds so large a Supply as Fifteen Lacks of Rupees ; neither am I fully convinced that the Presidency of Madras is in immediate Want of it ; I am therefore for dividing the Sum proposed to be sent into equal Shares, remitting the Half of it by the Ships now destined to carry the Company's Troops, and the Remainder after the Change of the Monsoon.

“ Mr. Francis.—My Opinion on the Governor General's several Propositions is contained in my Minute which I have already recorded.

“ The Governor General.—I agree to the Question. I should be glad to join with the other Members of the Board in forming any Means for restricting the Presidency of Fort St. George to the Application of this Money solely to their Military Charges.

“ Resolved, That the Sum of Fifteen Lacks of Rupees in Gold be immediately sent to Fort St. George in Specie, and laden for that Purpose on the Honble. Company's Ship the Duke of Kingston, and the other Vessels which are now on the Point of sailing for Madras.

“ Read, the Governor General's Second Proposition ; viz.

“ Second, ‘ That the Treasure deposited in the new Fort, including the Moiety lately taken from it, be all replaced in the general Treasury to be applied to the preceding Purpose, and other Exigencies of this Government.’

“ Sir Eyre Coote.—I agree to the Proposition.

“ Mr. Wheeler.—I consider the Deposit of Treasure now in the New Fort to have been made for the Purpose of defraying such extraordinary Demands as this Government, from Time to Time, might become subjected to, either from the Effects of War, or other public Calamities. I understand that a Moiety of the original Deposit hath already been replaced in the general Treasury, with a View of applying the same to our present Exigencies ; and I do not believe we shall be enabled to defray the present unsatisfied and growing Demands upon our Treasury without the Application of the Remainder, or without every other possible Means of Exertion. I am therefore for applying it agreeable to the Terms of the Question.

“ Resolved, That the Treasure deposited in the New Fort, including the Moiety lately taken from it, be all replaced in the General Treasury, to be applied to the Purpose mentioned in the foregoing Resolution, and to the other Exigencies of this Government.

“ Read,

“ Read, the Governor General’s Third Proposition, viz:

“ That a large Detachment of European Infantry and Artillery be immediately sent to Fort St. George by the Duke of Kingston, and the other Vessels which are now on the Point of sailing for Madras; and that the Commander in Chief be requested to proceed himself immediately to the Coast, and take the Command of the Army on that Establishment.”

“ The Commander in Chief delivers in the following Minute.

“ Sir Eyre Coote.—I cannot help feeling, in the highest Sense, the distinguished Terms in which the Governor General has solicited me to undertake the immediate Command of the Forces on the Coast of Coromandel; nor am I less sensible of the Honour done me by the other Members of this Board, by their having joined in a Requisition so much to my Credit.

“ I should do Injustice to those Motives which actuated my Return to India, and to the Expectations which both my King and my Country formed from it, did I not on this Occasion express my Readiness with which I now consent to undertake a Service, on the Success of which the Honour and Interests of the British Nation are so materially concerned; and I flatter myself I enter upon the arduous Task with a Degree of Zeal and Fortitude equal to what I did many Years ago in a similar Conjuncture of the Affairs of both the Company and Nation in that Part of India, and that my Efforts will be crowned with Success. At the same Time I scruple not to confess that I feel myself embracing the Road to Honour and Glory under a Disadvantage which I did not then experience, a Diminution of personal Activity which the Addition of Years has involuntarily entailed upon me.

“ The other Difficulties which I have to encounter, in taking upon the Command of an Army disheartened and dispirited by the late unfortunate Defeat by Hyder Ally Cawn, the Governor General has sufficiently elucidated; it only therefore is left for me to add the further Consideration of my having to overcome an Enemy, who can bring Treble the Number of our Forces into the Field, and who from their late Conduct appear to be in higher Discipline than any we have yet encountered among the native Powers of Hindostan.

“ Whilst the Steps which are necessary to be taken for the Security of our Possessions here, and for the Relief of our Distresses at Madras, from their Nature oblige us to relinquish the Prosecution of the offensive War, which we had commenced against the Marattas, from this Side of India; I agree intirely in Opinion with the Governor General, that Orders should be sent in the Manner and on the Principle he has pointed out for a Cessation of Hostilities in the respective Quarters on the other Side of India; and that Proposals for Peace and an offensive and defensive Alliance, on the Terms he has stated, should be immediately offered to them. I cannot help looking upon the present Season as one favourable for that Purpose, as I conceive the late Victory Hyder Ally has obtained over us, added to his Conduct in latter Years, whereby he has evinced a Disposition to encroach upon the Maratta Dominions, will render them extremely jealous of his Power, and induce them rather to wish for a Connection with us, than to act in Concert with him against us.

“ The very accurate and just Description which the Governor General has given of the Danger that at present impends the Interests of the British Nation in India, I am persuaded will have the same Influence upon the Mind of every other Member of this Board, as it has had upon mine, and tend to produce that Freedom of Deliberation, Concord and Unanimity in our Councils, so necessary for the public Good. In full Confidence that no other View can exist amongst us, I with the greater Chearfulness undertake that Part of the Service which falls to the Lot of the Station I fill; and, relying on the Support of this Board therein, most readily repose my military Character and Credit in their Hands.

“ In Conformity to the Request made at the Close of the Governor General’s Minute, I now deliver in a State of our Force on this Establishment, and of the Disposition proposed to be made of it, for the Protection of these Provinces, and for the Relief of Madras.

“ Commander in Chief.

“ The present Strength in Troops at the upper Stations at and above Chunarghur is as follows:

{	2 Regiments of Cavalry.
	3 Companies of Artillery.
	Capt. Mayaffers Det ^o of d ^o .
	1 Regiment of Europeans, $\frac{1}{2}$ Batt ⁿ .
	Company of Rangers.
	21 Battallions of Sepoys.

“ Proposed Disposition of said Corps.

“ Gwdior, to be garrisoned with 3 Battⁿ of Sepoys.

“ Captⁿ Mayaffers Detachm^t of Artillery, and the Comp^y of Rangers.

“ The Four remaining Battallions at present with Major Carnac to return, and the Detachment of Cavalry to join the 2^d and 3^d Regiments.

“ Daranaghur, One Battallion of Company’s Sepoys.

“ 1000 of the Viziers Infantry, and such a Number of Fyzulah Cawn’s Troops as may be thought necessary.

“ An

" An Army to be formed at Allahabad, or in any central Position thought most eligible, of the following Troops :

* Sic in Orig.

- 2 Companies of Artillery.
- * 2nd Regiments of Europeans.
- 10 Battalions of Sepoys.
- 1000 of the Viziers Candahar or best Horse. If 1000 cannot be obtained, as many as can possibly join.

N. B. From the above Two Companies of Artillery, the small Detachments at Dananjar and Chunar Ghur to be supplied.

" Chunar Ghur, One Battallion of Sepoys as usual.

" Bahar Province, The Two Regiments of Cavalry to be ordered down there, to be joined by Four Battalions of Sepoys, the Third Company of Artillery from the Field, and 1000 Horse, if they can be procured, from the Rajah of Benares; Boggah Battalio to make one of the 4 Battalions for this Service.

" Thus the Troops at the upper Stations to be disposed of for the present, and there will then remain 3 Battalions of Sepoys from the before named Number of 21 Battalions, for other Services; our Force, with said 3 Battalions included, at and below Berrampore, will then be Artillery, 6 Companies, and the Remainder of Capt. Mayaffers Company. First and Third Regiments of Europeans, and 18 Battalions of Sepoys.

" To be employed as follows :

At Berrampore, covering the	} One Company of Artillery.
City, or ready for any other	
Service that might occur.	
	} One Battalio of Europeans.
	} And Four Battalions of Sepoys.

" Madras Detachment, the Proceeding of the Troops by Land or Sea for this Service ought to be determined by the Part the Maratta Force at Cuttac mean to take. If they are Friends, our Armament for the Coast might proceed by Land; but if they are hostile to our Cause, as one of the first Objects is to assist the Presidency of Madras as soon as possible, the Detachment for that Service should proceed by Sea: But whether the Sepoys can be brought voluntarily to embark, is by no Means a certain Point. If the Embarkation could be adopted, the Detachment should consist of

- { 2 Companies of Artillery,
- { 1 Battalio of 3d Regiment, completed to 300 Rank and File, and
- { 4 Battal' of Sepoys.

" This is on a Supposition, that the Cattack Forces are in Opposition to us, in which Case 4 Battalions at least will be wanted on the Midnapore Side, with the present Detachment of Artillery there, and the Chain of Troops as above stationed, will be able to oppose the Enemy whenever they attempt entering the Provinces. There will also then remain for the immediate Protection of Fort William, and this Quarter,

- 3 Companies of Artillery,
- 1 Regiment of Europeans,
- 6 Battal' of Sepoys.

" But if it can be proved that we have no Opposition to apprehend from the Force at Cuttac, I then recommend, that the Army for the Assistance of Madras should proceed by Land;

- viz. {
- Two Companies of Artillery.
 - 4 Battalions of Europeans, 300 Rank and File.
 - 8 Battalions of Sepoys, with a light Field Train.

* Sic in Orig. " They would arrive by Land in the Carnatic at this Season of the Year as soon as by Embarkation, even if the Sepoys would without Hesitation embark, for such a Force as mentioned could not with Safety proceed by Sea from hence till late in November or December, when the Height of the N. E. Monsoon will be abated on the Coast. From the Movement by Land, the different Country Powers will also be awed, the Nizam particularly kept in check, and Hyder's Troops opposed, if they should again make the Circars their Objects. If this Mode is adopted, as it is on the Supposition * as it is on the Supposition that the Marrattas at Cuttac are not inimical, the upper Stations will not then want such a powerful Chain of Troops for their Defence; and from the connected Position of the different Bodies of Troops, stationed as before mentioned, any Part of them, when wanted on Exigency, can be drawn down for the Protection of Bengal in general, or of the Presidency in particular. If the 8 Battalions were to proceed to Madras by Land, there would be no Occasion for Four Battalions at Midnapore—Two would be sufficient for the Service required there, and these might be drawn from Berrampore, that the Force at the Presidency might not be weakened.

" The independant Corps at Chittagong, and Rangur Light Infantry, are not included in the above Disposition of the Troops; they are supposed occupying their present Posts, as well as the Corps of Militia at their different Stations.

" Calcutta, September 27th, 1780.

" The

" The Governor General.—The Season of the Year, and the marshy State of the Roads through which an Army must pass from hence to the Carnatic, especially through the Districts of Midnapore, Jellafore, and the whole Province of Orissa, will render it impossible to march an Army by Land until late in the Month of November. We have not Shipping to transport the requisite Number of Sepoys by Sea; neither if we had, would it avail us. The Remembrance and Tradition of the past sufferings of those who have been transported by that Mode of Conveyance, would be an insuperable Objection on the Part of the Sepoys themselves, especially at this Season; I must beg Leave therefore to change the Terms of the Question, and substitute for what we could wish to do, what we can do. I should agree with the General, and do agree with him in the Proposition of sending a considerable Reinforcement of Sepoys, as well as Europeans to Madras. But this must rest for a future Resolution. And I mean to add on another Day a fresh Motion to that Effect. For the present Question, I propose from the Terms of the General's Minute, that Two Companies of Artillery, with their Complement of Lascars, and One Battalion of One of the Regiments of Infantry, completed to 300 Rank and File, be immediately embarked, as many as can be on Board the Duke of Kingston, the Rest on any of the Ships offered for that Service by Mr. Fergusson.

" Agreed, That the Commander in Chief be requested to proceed himself immediately to the Coast, and to take the Command of the Army upon that Establishment.

" Resolved, That Two Companies of Artillery, with their Complement of Lascars, and One Battalion of One of the Regiments of Infantry, completed to 300 Rank and File, be immediately embarked for the Presidency of Fort St. George; as many as can be on board the Duke of Kingston, and the Rest on any of the Ships offered for that Service by Mr. Fergusson.

" Ordered, The Returns be made to the Commander in Chief of the Number of Ships offered by Mr. Fergusson, and of the Number of Men that each Ship can carry.

" Agreed, to the Disposition of the Troops proposed by the Commander in Chief; and ordered, That a Copy of it be sent to Brigadier General Stibbert, after the Departure of Sir Eyre Coote, that he may issue the necessary Orders for carrying the same into Execution, when the Season will permit."

" Adjourned till To-morrow Morning at Ten o'Clock.

(No Signature at the End of the Consultation.)

The Counsel for the Defendant stated, they would next read a Proposition of the Commander in Chief for a Detachment to be sent by Land to Madras, when the Season would permit.

Read, the following Extract of a Consultation of the 3d October 1780, beginning at Page 464 of the same Book :

" Fort William, the 3d October, 1780.

" At a Council; Present,
The Honble. Warren Hastings, Governor General, President;
Philip Francis,
Edward Wheler, } Esquires;
and
Lieutenant General Sir Eyre Coote K. B.

Secret Dept.
Tuesday.

" The Commander in Chief delivers in the following Minute :

" Sir Eyre Coote.—The great Loss of Troops upon the Coast, of which we have daily Confirmation, and the dispirited Situation to which those remaining are reduced, will render the small Number now going by Sea very inadequate to the Service expected, unless supported by a Detachment of Sepoys to march by Land into the Circars, the Defence of which must now be extremely weakened by the Necessity there must have been of drawing the Troops stationed for their Defence towards the Presidency; I therefore propose, that Six or Eight Battalions of Sepoys, with their Guns, and One Company of Artillery, be ordered to be in Readiness to march through the Cuttack Road towards Madras, and the Order for their March to depend upon the Hopes we have given us, that the Maratta Army, now lying there, will either join us or return; as without this, or a Peace concluded with the Marattas, I never can advise any Detachment of Troops marching from hence to the Coast.

Minute from
Sir Eyre
Coote.

(Signed) " Eyre Coote."

" Agreed to the Proposition made by the Commander in Chief.

(Signed at the End of the Consultation)

" Warren Hastings,
P. Francis,
Edward Wheler."

The Counsel for the Defendant stated, That in Consequence of the Resolution of the Board, just read, the Defendant on the 26th of the same Month brought forward the Proposition of the Commander in Chief for immediate Execution, and they should proceed to read his Minute upon that Occasion, and the Resolution in consequence.

Read, the following Extract of a Consultation of the 26th October 1780, beginning at Page 627 of the same Book.

“ Fort William, the 26th October 1780.

Secret Dept.
Thursday.

“ At a Council; Present,
The Honourable Warren Hastings, Governor General, President;
Philip Francis,
Edward Wheler, } Esquires.
Lieutenant Sir Eyre Coote absent on Service.

• Sic in Orig.

“ The Governor General.—In Consultation the 3d October last, it was recommended by the Commander in Chief, and resolved, That Six or Eight Battalions of Sepoys, with their Guns and One Company of Artillery, be ordered to be in Readiness to march through the Cuttack Road towards Madras, the Order for their March being to depend on the Hopes given us, that the Maratta Army, now lying there, will either join us or return. To form a Detachment of this Strength, will require many preparatory Arrangements, which can hardly be completed in less Time than a Month, or perhaps Six Weeks from its first Formation. The fair Season is now begun, and the Answers from the Government of Berar to our late Dispatches must be expected much within the Course of the ensuing Month; if these are favourable, the Detachment ought not to lose an Instant, after their Arrival, in commencing its March: I myself have every Reason to believe, that their Answer will be as favourable as we can wish. These Reasons I shall now communicate to the Board; in the mean Time, I move, That Orders be immediately issued for forming the Detachment, and that it do consist of One Company of Artillery and Six Battalions of Sepoys, with their Guns. I take the Liberty to recommend, that Lieut. Colonel Pearse be appointed to the Command of this Detachment, and Major Edmonston* to be the Second in Command. The First of these Recommendations, I can venture to assure the Board, will be agreeable to the Commander in Chief, and that it was his Intention to have offered it himself. The Second proceeds solely from my Opinion of the Qualifications of Major Edmonstone, whom I know only as an Officer, neither is he acquainted with my present Wishes upon this Subject.

• Sic in Orig.

“ If the Board shall approve of those Propositions, I further beg Leave to suggest the Expediency of replacing the Number which will be thus taken from our native Infantry, by such Means as shall be adjudged the most effectual, and least burthensome in their Expence; that which has occurred to me, and which I submit to the Considerations* of the Board, is to augment all the Battalions which remain, by an equal Number of Rank and File distributed amongst them, to be hereafter drafted and formed into regular Battalions of the established Strength, when they shall be required for actual Service. This Expedient, if the Board approves it, may be referred to the Provincial Commander in Chief, and his Opinion upon it desired, or, in place of it, any other which he may judge more suitable to the End proposed. (a)

(Signed at the End of the Consultation)

“ P. Francis.”

Read, a further Extract from the same Consultation, beginning at Page 631 of the same Book.

“ Agreed, That Orders be immediately issued for forming a Detachment to proceed over Land towards Madras; that the same do consist of One Company of Artillery and Six Battalions of Sepoys, with their Guns; and that Brigadier General Stibbert be directed to carry this Resolution into Execution. (b.)

The Counsel for the Defendant stated, That the Board having come to this Resolution, of referring it to General Stibbert in the Absence of Sir Eyre Coote, who was gone to the Coast, they should read certain Letters from General Stibbert to the Board, which immediately preceded the Measure in Question.

(a) Vide Appendix, N° CCXXXII.

(b) Vide Appendix, ibid.

Read,

Read, the following Extract of a Consultation of the 30th October 1780, beginning at Page 634 of the same Book.

“ Fort William, the 30th October 1780.

“ At a Council ; Present,
The Honourable Warren Hastings, Governor General, President ;
Philip Francis, } Esquires.
Edward Wheler, }
Lieutenant General Sir Eyre Coote absent on Service.

Secret Dep.
Monday.

“ The Proceedings of the 26th Instant read and approved.

“ Read, the following Letter from Brigadier General Stibbert, enclosing an Address to Lieutenant General Sir Eyre Coote, from Major Brisco.

“ Gentlemen,

“ The enclosed Letter from Major Brisco, who commands the Detachment posted at Daranagur, being addressed officially to Lieutenant General Sir Eyre Coote, I opened it Yesterday on its being presented to me. As it contains some Information by no Means uninteresting at this Juncture, I have judged it proper to lay it before you.

“ The Season approaching, when the Upper Rohilcund will be considerably exposed to the Inroads of the Seicks or other Adventurers from the Western Side of the Ganges, owing to the great Number of Fords which lead across that River in the dry Months, I purpose reinforcing Major Brisco by a Battalion from Futtty Ghurr (Three Battalions having till lately been always stationed there), unless the Board should offer any Objection to the Measure ; however, when the Extent of Country, and numerous Gaults to be defended by the Daranagur Detachment is considered, I flatter myself, Gentlemen, that you will agree to this Expediency : I presume, that, on a Perusal of the Major's Letter, the Necessity of pressing both the Vizier and Fyzoolah Khan to contribute effectually to the Protection of the Rohilcund, will not fail to appear to the Board.

“ Fort William,
28th October 1780.

“ I have the Honour, &c.
(Signed) G. Stibbert.”

“ Sir,

“ I had the Honour of addressing you twice on your Way down to the Presidency, respecting this Station ; and I now beg Leave to give you every Intelligence of my Transactions in the Protection of Rohilcund.

“ The River Ganges is already fallen so very low I am under the Necessity of sending large Detachments to guard the Gaults and Passes on the River, as the Seicks and Goodreis (Enemies of this Country, the Nabob Vizier's Dominions) are beginning to cross the Ganges, and committing Depredations in Rohilcund ; the Troops I have detached in consequence, will prevent them.

“ The Goodries are an Enemy in Possession of the Country on the opposite Side the Ganges to Rohilcund, and are constantly very troublesome. The Seicks are a People who inhabit a Country a great Way to the Northward of this, bordering on Timur Shaw's Territories ; and, as they are a Set of Free Booters, they are generally at War with some of the neighbouring Powers, and frequently make Visits, and want to invade Rohilcund ; and if it were not for the Detachment at Daranagur, they would, in a very short Time, lay waste the whole Country, and only wait an Opportunity.

“ The Seicks and Goodries * are mostly Horsemen, and are a good deal like the Marrattas in that, as they commence Hostilities wherever they go, and have made several Attempts on Rohilcund at different Times Three or Four Years back ; however, at present there are no very large Body of them assembled on these Frontiers, they are only Parties of them scattered about ; but the Seicks at Times can collect a very large Army together, Thirty or Forty thousand Men.

“ I have Information, that Neizop Cawn is tampering with the Seicks, using Endeavours to form a Treaty with them. I do not know what Designs Neizop Cawn may have, but he is making great Preparations for War, &c.

“ On my being appointed, and taking the Command at Daranagur, I was not honoured with any Instructions from you regarding the Nabob at Rampore, Fyzoola Cawn's, Troops. I have only Five hundred of his Horse, and the Nabob in his Agreement with Government is obliged to keep up Five thousand Troops, for assisting in the Defence of Rohilcund. A few Months ago, Three Battalions were stationed here with Colonel Muir, besides a Body of the Nabob Fyzoola Cawn's Cavalry, and they were well employed, and had enough to do in protecting the Country from Invasion. The Command is greatly reduced ; One Battalion taken away, and Fyzoola Cawn has not afforded more than Five hundred Men since I have been here, which is a great deal too small a Force from him : As I acquainted you in my former Letters, too † Battalions were too small to command Rohilcund from Invasion ; I want a larger Detachment from the Nabob.

Enclosure in
General Stibbert's Letter,
From Major
Brisco to
Lieut. Gen.
Sir E. Coote.

* See in Orig.

† See in Orig.

“ I under-

" I understood you intended ordering the Nabob to furnish Fifteen hundred Men, when you recalled the Battalion; and it is absolutely necessary that he should, as they are very much wanted on the Frontier Station, where I have my Detachment.

" I hope to be honoured with your Directions relative to Fyzoola Cawn's Troops as soon as convenient. I wait the Honour of your Instructions.

I have the Honour to be, &c.

(Signed) H. Brisco."

" Ordered, That the above Letters lie for Consideration until our next Meeting.

" P. Francis,
Edw^d Wheler."

Read, the following Extract of a Consultation of the 2d November 1780, beginning at Page 645 of the same Book.

" Fort William, 2d November 1780.

Secret Dep.
Thursday.

" At a Council; Present,
The Honourable Warren Hastings, Governor General, President;
Philip Francis, } Esquires.
Edward Wheler, }
Lieutenant General Sir Eyre Coote absent on Service.

" Read, the following Letters from Brigadier General Stibbert.

" Gentlemen,

* Sic in Orig.

" I was Yesterday honoured with your Letter of the * 6th Instant, informing me of your Resolution to detach, towards Madras, One Company of European Artillery, and Six Battalions of Sepoys, with their Guns, and desiring me to issue immediately the necessary Orders for carrying this Measure into Effect.

" Your Instructions I beg you will be assured shall be obeyed with all possible Dispatch; but as you have omitted acquainting me where you would chuse to have the Detachment assembled, I find myself necessitated to retard my Proceedings till you shall be pleased to satisfy me on this Head.

" In the mean Time, I hold it my Duty to state to you the Strength of the Forces at present stationed at Fort William, and the other Parts of Bengal, from which the Detachment ordered must necessarily be formed.

	European Artillery, Non-commissioned, and Private.	European Infantry, Non-commissioned, and Private.	Battalions of Sepoys.
Fort William, Barrackpore, and Chandernagore	232	341	6
Berhampore — — — —	99	688	4
Midnapore and Talajore — — — —	49	—	4
Total, including the Sick — — — —	380	1029	14

" After deducting this Force One Company of Artillery and Six Battalions of Sepoys, there will only remain for the immediate Protection of Fort William and the rest of Bengal (exclusive of Invalids and the Militia),

Artillery Europeans — — — 280
Infantry ditto — — — 1029
Battalions of Sepoys — — — 8

which, considering that there is just now a large Maratta Army assembled at Cuttack, and that we are at the Height of War with two formidable European Powers, I conceive to be very inadequate to this Purpose.

" Should it be urged, that the Recruits ordered to be levied will supply the Place of the Troops designed to be detached, I must observe, that it will be impossible, let the Care and Attention of the Officers be ever so unremitted, to discipline and train these Recruits so as to render them fit for actual Service, in less (to speak within Bounds) than Six or Eight Months. Respecting the Mode eligible to be pursued in raising and forming these Levies; I shall do myself the Honour of addressing the Board in a separate Letter.

" On the other hand, there appears to me no less Difficulty in the Measure of strengthening the Force below, by the Recal of so considerable a Part of the Troops stationed in the Vizier's Provinces beyond the Jumma, as one Company of European Artillery, the Two Regiments of Cavalry, and Six Battalions of Sepoys, which I find to have been the Proposition of Sir Eyre Coote; for I

submit to the Board, whether it would be expedient or proper to reduce the Army in that Quarter so materially, at a Time when all Accounts agree in representing that Nujjif Cawn is making great Preparations for taking the Field, when the Sieks are in Motion, and when it is confidently said, that Madhajie Scindia is setting on foot an Expedition towards Gualiar and the adjacent Country. Such being the apparent Situation of Affairs, I must offer it as my Opinion, that, having a Regard to the Security of the Upper Provinces, and to the Maintenance of our Consequence in that Part of the Country, we cannot withdraw from thence, at this critical Period, a greater Body of Troops than will be sufficient to assist in the Defence of Patna and the Bahar Province. (a)

(Signed at the End of the Letter)

" Fort William, 29 October, 1780.

" G. Stibbert."

(No Signature at the End of the Consultation.)

The Counsel for the Defendant informed the House, That the Board, on the 2d November 1780, after taking all these Letters into Consideration, formed the Resolution in question, of demanding from the Rajah Cheit Sing such Part of his Cavalry as he could spare for the Assistance of the Company; which Resolution had already been given in Evidence by the Managers for the Commons, and which they desired might be again read.

Read, the Same, from the printed Minutes, beginning at Page 97 of the same.

" Fort William, the 2d November 1780.

" At a Council; Present,
The Honourable Warren Hastings, Governor General, President;
Philip Francis, } Esquires.
Edward Wheler, }
Lieutenant General Sir Eyre Coote absent on Service.

" The Proceedings of the 30th ultimo read and approved.

" Read again the Letter from Brigadier General Stibbert, dated 28th October, and recorded on the last Day's Proceedings.

" Agreed also, that the Governor General be requested to write to the Rajah of Benares, requiring him to furnish such Part of his Cavalry, entertained in his Service, as he can spare for the Service of this Government, and to inform what Numbers he can supply; that a Letter be written to Mr. Francis Fowke, directing him to make the same Requisition of the Raja, and at the same Time, to obviate any Jealousy which the Raja may conceive that this may be converted to a permanent Imposition upon him, by assuring him, that the Board will require the Services of these Forces no longer than while the present War lasts, after which they will be returned."

Rajah of Benares to supply a Part of his Cavalry for the Service of the Company.

To prove the Communication of this Resolution and Demand to the Rajah, and to shew that any Ideas he might entertain of its being intended as a permanent Imposition were removed by the Resident at the Time:

Read, from Book 535 already delivered in, the following Letter from the Resident at Benares to the Governor General, dated the 7th December 1780, beginning at Page 324 of the same Book.

" I have received the Honour of your Letter of the 2d ultimo, respecting the Demand you had thought proper to make of a Part of the Raja's Cavalry. In explaining to him the Reasons of the Demand, I have endeavoured to obviate the Apprehensions he might entertain of its being converted into a permanent Imposition, and have told him, that the Services of this Force will be required no longer than the Continuance of the present War. I have not yet received his Answer to the Honourable the Governor General's Perwannah.

" I have likewise to acknowledge the Honour of your Letter, dated the 2d ultimo, directing that no Advance of Money be made to Officers on their March, without your express Orders, to which I shall pay the strictest Attention.

" I have the Honour to be,
Honourable Sir and Sirs,
With the greatest Respect,

Your, &c."

(a) Vide Appendix, N° CCXXXIII.

To shew the Conduct of Cheit Sing with respect to this Requisition :

Read, the following Letter from the Resident at Benares to the Governor General, dated the 16th December 1780, beginning at Page 326 of the same Book.

“ To the Honble. Warren Hastings, Esq'. Governor General, &c. &c. &c. &c.

“ Benares, 16th December 1780.

“ Sir,

“ Fourteen Days are now elapsed since I delivered to the Rajah your Perwannah, requiring to know the Number of his Horse which he could detach for the Company's Service. I have frequently pressed him for an Answer, which he continually delays, and it appears to me that these Delays are studied. As my own Remonstrances have been ineffectual, it becomes also incumbent upon me to inform you that the Rajah, for some Months past, has been exceedingly dilatory in the Payment of the Money assigned to Saadur Ally's Monthly Allowance. He has not, to this Day, discharged the Amount which became due on the 4th of last Month. The Bills for the Monthly Kist, which used to be made out by the 15th of the Month, are now never ready till the End of it. It is true, there is as yet no Difference in the Date of Payment; but these Delays have been gradually increasing, and are the Effect of an Inattention to Business, which must in the End produce a Failure of Payment.

“ I have the Honour to be,

Sir,

Your most faithful and most obedient Servant,

“ F. F. Resident.”

Read, the following Letter from the Resident at Benares to the Governor General, dated 7 January 1781, beginning at Page 330 of the same Book.

“ Benares, 7th January 1781.

“ To the Honble. Warren Hastings Esq' Governor General, &c'. &c'. &c'.

“ Fort William.

“ Sir,

“ I have this Day received the enclosed Answer from the Rajah to your Perwannah, respecting a Detachment of his Cavalry for the Service of the Honble. Company. He has informed me, in Orig. that he shall not be able to * detach more than Two hundred and Fifty Horse, the Remainder being absolutely necessary for the Collection of his Revenues.

“ I have the Honour to be,

Sir,

“ Yours, &c'. &c'. &c'.”

The Counsel for the Defendant stated, That they wished to refer the House to the Letter from the Resident of Benares to the Governor General, dated the 16th December 1780, above read, (a) for the additional Purpose of establishing the Defendant's Complaints against Cheit Sing, for Unpunctuality in the Payment of his Tribute to the Company; under which Head they should also read another Letter, written about this Time to Mr. Middleton, by the Resident at Benares, and containing similar Complaints.

Read, from Mr. Middleton's Letter Book, marked A, already delivered in, the following Letter from Mr. Fowke to Mr. Middleton, dated January 4th 1781, beginning at Page 31 of the same Book.

“ To Nathaniel Middleton Esq'.

“ Sir,

“ I have the Pleasure to send you Raja Cheit Sing's Answer to your Letter, enclosed to me in Mr. Johnson's Letter of the 8th of last Month. I have urged the Payment of the Balance and Arrears of Khyragur in the strongest Terms. The Rajah persists in denying any Money whatever to be due from him on that Account: Though convinced of the Falseness of this, I know not the Documents requisite to confute him. It may not be improper to inform you, that the Rajah is become exceeding negligent in Business, and is frequently in Arrears in the Payment of his Tribute to the Honourable Company.

“ Benares, Jan. 4th 1781.

“ I am, Sir, &c.

“ F. Fowke.”

(a) Vide supra in this Page.

" Honourable Sir and Sirs,

" In Obedience to your Orders of the 22d ultimo, I have demanded of Rajah Cheyt Sing the Sum of Five Lacks of Muchlidar Rupees, as his Proportion of the Burden of the present War with France. The Rajah has desired me to inform you of his intire Submission to Commands. He has promised to pay One Lack of this Amount within a few Days. I shall immediately advise your Honourable Board of the Receipt of it; and shall remit it upon the most advantageous Terms I can obtain. I shall likewise urge the Rajah, in the strongest Manner possible, to use the utmost Expedition in the Discharge of the remaining Part.

" I have herewith the Honour to inclose you 14 Bills of Exchange, for the Sum of Calcutta Sicca Rupees, 1,61,819 : 4 : 13 : 1, drawn in Favour of the Honourable Company, as per accompanying Invoice, being the Balance on Account of Rajah Cheite Sing's Kist, due the 4th Instant, after Deduction of the Nabob Saadut Ally Cawn's Monthly Allowance of Standard Gourshay Rupees 25,000.

" I have the Honour to be, with the greatest Respect, &c."

" Benares,
" 21st July 1780.

(Signed) F. Fowke,
Resident at Benares."

Read, from Book 100, already delivered in, the following Extract of a Consultation of the 3d of April 1776, beginning at Page 142 of the same Book.

" Fort William, the 3d April 1776.

Secret Dept.
Wednesday.

" At a Council; Present,
The Honourable Warren Hastings, Governor General,
Lieutenant General John Clavering,
The Honourable George Monson,
Richard Barwell, } Esquires.
Philip Francis, }

" Honourable Sir and Sirs,

Mr. Fowke.

" I have received the Honour of your Letter of the 26th February. I have communicated to the Rajah the Orders which it contains. The Rajah has assured me that he will remit the Balance this Day due, within the Space of Eleven Days from the Date hereof, and on the 12th of April, will remit the Kist which is due on the 5th of that Month: He has faithfully promised to adhere to these Terms; and I believe I may venture to assure your Honourable Board that he will not fail in them. I have thought myself authorised in giving him reason to hope, that should he perform this Promise, no Fine will be imposed upon him for the long Delays he has made.

" I remain, &c."

" Benares,
" 19th March 1776.

(Signed) Francis Fowke."

(Signed at the End of the Consultation.)

" Warren Hastings,
J. Clavering,
R^d Barwell,
P. Francis."

The Counsel for the Defendant informed the House they would now proceed to the next Subject in Charge; namely, The supposed illegal Delegation of the Powers of the Council to the Defendant; and the First Evidence they would adduce on this Head, should be certain Precedents to shew the established Usage in that Respect, with the Knowledge and Approbation of it by the Court of Directors.

Read, from Book 515, already delivered in, the following Extract of a Consultation of a Select Committee of the 24th September 1760.

" Fort William, the 24th September 1760.

" At a Select Committee; Present,
" The Honble. Vansittart Esquire, President;
Colonel Gaillaud,
W^m Brightwell Sumner,
John Zephaniah Holwell, } Esquires.
William M^c Guire, }

" It appearing to the Committee highly proper, that a Member of this Board should proceed to Moorshedabad, to keep Cossim Ally Cawn firm to the Agreements he has made, and to support him so strongly as to enable him to over-rule the Nabob and his present Advisers; and the President offering to undertake the Task,

" Agreed

“ Agreed, He do set out as soon as possible; and that he be attended by Major Yorke, with Two Companies of Military, a Detachment of Artillery, with Four Pieces of Cannon, and Captain Tabbay’s Battalions of Scapoys.

“ Henry Van^sSittart.
John Caillaud,
W^m B. Sumner,
J. Z. Holwell,”

• Sic in Orig.

Read, from the same Book, the following Extract of a Consultation of a Select Committee, of the 27th September 1760.

“ Fort William, the 27th September 1760.

“ At a Select Committee; Present,
The Honble. Henry Vansittart Esquire, President;
Colonel John Caillaud.
W^m Brightwell Sumner,
John Zephaniah Holwell, } Esquires.
William M^c Guire,

“ Resolved, We give the following Instructions to the President and Colonel Caillaud.

“ Honble. Sir and Sirs,

“ As some Days have already elapsed since the President, at the Desire of Committee, wrote to Mr. Amyatt, of the intended Negotiation with the Shahzada; and as one of Roydulub’s Letters to the Prince has been forwarded by his own People, we may expect that within Fifteen or Twenty Days from this Time, something of it will transpire, and the Report spread to Moorshedabad; it is not to be doubted, but that the Nabob will be extremely alarmed at the first News of it, and that those who now rule him will use their Influence to encrease his Fears and Suspicions, and to make him as averse as possible to acquiescing in the Measures we propose to adopt, and to which Cossim Ally Cawn has acceded; it will be necessary therefore to have Persons commissioned with full Powers from hence, and that they be such as will have Weight enough, on the one Part, to keep Cossim Ally Cawn firm to the Agreements he has made, and on the other, to support him so strongly as to enable him to over-rule the Nabob and all his present Advisers.

Instructions to
the President
and Colonel.

“ This entire Confidence we place in you, empowering you to act according to your own Discretion in all Circumstances that may occur, and the better to enable you to accomplish our Intentions, and to prevent any Disturbance, we have thought proper to make a Detachment of Artillery, with Four Pieces of Cannon, and Captain Tabby’s Battalion of Sepoys, who are to act under your Orders. This Detachment is represented to the Nabob as designed to reinforce the Army at Patna; but it is not our Intentions that they shall proceed further than Cossimbuzar, unless the Approach of the Beerboun, or other disaffected Rajahs or Zemindars, shall make it necessary to send them out to oppose them.

“ If the Affairs of Patna should not absolutely require the Colonel’s immediately proceeding there, we would have him remain at Moorshedabad till this Affair shall be settled there, and the Government put under the Regulation proposed; in which Case you will please to forward to Mr. Amyatt the general Instructions of the 24th and 25th, directed to him and the Colonel, with Orders to Captain Knox, to co-operate with the Chief of Patna, in the Execution of the said Instructions. When the Colonel proceeds to Patna, Major Yorke will remain with the Command of the Detachment, and will follow the Orders of the Governor for his further Proceedings.

“ You will continually be advised of the News we may receive, and of any Alteration that may happen here, in order that you may take the necessary Measures for sending back the Detachment, in case any Danger from abroad should threaten the Settlement.

“ We have the Honour to be,

With great Esteem,

Honble. Sir and Sirs,

Your most obedient humble Servants,

Signed at the End

“ Henry Vansittart,

John Caillaud,

W^m B. Sumner.”

Read, from Book 505, the following Extract of a Consultation of the 21st June 1765:

“ Fort William, the 21st June 1765.

“ At a Select Committee; Present,
The Right Honble. Lord Clive, President;
William B. Sumner,
Harry Verelst,
Francis Sykes, } Esquires.

The President informs the Committee of his Intention to join the Army, and desires the necessary Powers to conclude Peace.

Powers granted.

The above-mentioned.

“ The Right Honble. the President having acquainted the Committee, that he intends leaving Calcutta in a few Days, to take upon him the Command of the Army, and desiring he may be intrusted with Power, in Conjunction with General Carnac, for concluding Peace with Shujah Dowla, and regulating the Company's Interests with the Country Powers;

“ Ordered, That the necessary Powers, and the Committees Sentiments respecting the Terms of Pacification, be drawn out and conveyed to his Lordship in the Form of a Letter.

“ A Draft of the above Letter being prepared, read, and approved,

“ Ordered, That a fair Copy be sent to his Lordship, and the Letter entered after these Proceedings (a).

(Signed at the End of the Consultation)

“ Clive,
W^m B. Sumner,
H. Verelst,
Fra^s Sykes.”

Read, a further Extract from the same Consultation as follows:

“ To the Right Honble. Lord Clive, President and Governor, &c.

“ My Lord,

“ We greatly approve your Resolution to embrace the present favourable Opportunity for establishing a general Peace, and effecting a cordial and lasting Friendship with the Country Powers. These important Ends, so necessary to the Prosperity of the Company, will more effectually be answered by a personal Interview with Shuja Dowla and the other Chiefs, than from a Correspondence carried on at this Distance, as many Circumstances leading to a direct Knowledge of their real Sentiments will occur in the Course of your Conferences.—It is from a Consideration of these Circumstances, that we apprehend any particular Instructions to your Lordship will be unnecessary; much must be left to those who act upon the Spot, and we are happy in the Assurance, that your Lordship's perfect Acquaintance with, and Zeal for, the Company's Interest, will enable you to fulfil your most sanguine Wishes.

“ The Preliminary Articles, transmitted the 11th Instant to General Carnac, contain our general Sense of the Terms which we ought to demand; and to restrain your Lordship to express Instructions, would only serve to retard and embarrass your Negotiations.—We therefore empower your Lordship, in Conjunction with Brigadier General Carnac, to stipulate such Conditions with Shuja Dowla, to form such Connections with the Country Powers, and to pursue such Means as you shall judge necessary to the Company's Interest, the public Welfare, and the obtaining a safe, honourable, advantageous, and lasting Peace (b).”

Read; from Book 175, the following Extract of a Letter from the Honble. the Court of Directors to Lord Clive, dated the 2d May, 1766, beginning at Page 733 of the same Book:

“ To the Right Honble. Robert Lord Clive, Baron of Plassey, Knight of the Most Honble. Order of the Bath, President and Governor of Fort William in Bengal.

“ My Lord,

“ Par. 1. The Admiral Stevens in a leaky Condition, at Lisbon, on the 31st March, from whence Capt. Griffin sent all the Packets committed to his Care in One of the King's Packet Boats, which we received on the 19th of last Month.

“ 2. It gives us the utmost Pleasure to observe by those Dispatches, with what Zeal and Indefatigableness (and which we have the highest Sense of) your Lordship has pursued the true Interest of the Company in many Affairs of great Consequence, more particularly in settling the Peace of the Country upon so advantageous a Footing, as well to the Company as all others con-

(a) Vide Appendix, N^o CCXXXIV.

(b) Vide Appendix, *ibid*.

cerned; and in detecting and laying open to our View, the general Corruption, Rapacity, and Oppression of our Servants.

" 3. The Stability of your Lordship's Plan with respect to our Possessions and Revenues, the Peace of the Country, and effecting a thorough Reformation in the excessive Abuses and Negligence of our Servants, require Time and Ability to accomplish. We cannot, therefore, but be under great Concern at the Notice your Lordship has given us of your Intentions to leave Bengal the End of this Year; but as the Interest of the Company depends upon your Lordship's perfecting what you have laid so good a Foundation for, it is our Interest and unanimous Request, that you will continue another Season in Bengal, the doing which will further add to the Honour and Reputation your Lordship has already most deservedly acquired, and will lay a lasting Obligation upon the Company.

(Signed at the End)

" J. Creswicke,	Geo. Dudley,
J. Pardoe,	Tho' Rous,
George Cuming,	Rob. Jones,
Peter Du Cane junr,	John Stephenson,
E. H. Cruttenden,	J. Purling,
John Roberts,	Fred ^k Pigou,
George Wombwell,	Hen ^y Savage,
John Harrison,	Tho' Saunders,
Edw ^d Wheler,	Christ ^r Baron,
Jos ^r Du Pré,	F. W. Barrington,
Luke Scrafton,	Charles Chambers."

Read, from Book 2, already delivered in, the following Extract of a Letter from the Court of Directors to Lord Clive, dated the 17th May 1766, beginning at Page 107 of the same Book.

" My Lord,

" 2. When we consider the Penetration with which your Lordship at once discerned our true Interest in every Branch, the Rapidity with which you restored Peace, Order, and Tranquility, and the unbiassed Integrity that has governed all your Actions, we must congratulate your Lordship on being the happy Instrument of such extensive Blessings to those Countries; and you have our sincerest Thanks for the great and important Advantages thereby obtained for the Company."

Read, a further Extract from the same Letter, beginning at Page 112 of the same Book.

" 10. We have not at present Time to enter into the thorough Examination of what your Lordship proposes, respecting the establishing of Rank and Precedence between our civil and military Servants. In our Letter of the 24th December, we determined that the President and Council might delegate their Authority to any civil Servant they pleased; and every military Officer, be his Rank what it might, should pay the same Obedience to the Orders of such civil Servant as to those of the President and Council. It is not meant however that such civil Servant is to controul the military Officer in the Execution of military Operations, which is his proper Department.

" 11. We have the most perfect Sense of your Lordship's Disinterestedness in every Part of your Conduct, and we shall not fail to represent this to the Proprietors, and shall at the same Time inform them of the many great Advantages your Lordship has obtained for the Company; but we fear, my Lord; past Experience will teach them, as it does us, that the Permanency of those Advantages will depend much on your Lordship's continuing in India till you have seen the Regulations firmly established, for the conducting these important Affairs; another Year's Experience and peaceable Enjoyment of our Acquisitions might fix them on a Basis, that would give Hopes they may be as lasting as they are great; and there is no Doubt, my Lord, but the general Voice of the Proprietors, indeed we may say of every Man who wishes well to his Country, will be to * • Sic in Orig. join in our Request that your Lordship will continue another Year in India. We are very sorry of the Sacrifice we ask your Lordship to make, in desiring your Continuance another Year in Bengal, after the great Services you have rendered the Company, and the Difficulties you have passed through in accomplishing them, under Circumstances, in which your own Example has been the principal Means of restraining the general Rapaciousness and Corruption which had brought our Affairs so near the Brink of Ruin. These Services, my Lord, deserve more than verbal Acknowledgements, and we have no Doubt that the Proprietors will concur with us in
Opinion

Opinion, that some solid and permanent Retribution, adequate to your great Merits, should crown your Lordship's Labours and Success.

" We are, my Lord, your Lordships loving Friends,

Charles Chambers,	Geo. Dudley,
J. Pardoe,	Tho. Rous,
Jos du Pré,	John Stephenson,
Tho ^r Saunders,	Cha. Cutts,
George Cuming,	Hen ^y Savage,
John Harrison,	Christ ^r Baron,
J. Purling,	Fred ^k Pigou,
John Roberts,	F. W. Barrington,
Peter Du Cane jun.	Edw ^d Wheler,
George Wombwell,	Luke Scrafton,
Rob. Jones,	E. H. Cruttenden."

Read, from the same Book, the following Extract of a Letter from the Court of Directors to Lord Clive, dated the 21st November 1766, beginning at Page 302 of the same.

" My Lord,

" 7. We observe with great Pleasure your Lordship's Intention of making the Tour of the Provinces. We persuade ourselves it will very much tend to conciliate the Minds of the People to our Administration, and will furnish your Lordship with that local Knowledge and Experience, which is so necessary to understand the separate Interest of each Province, and to form a Judgment of the Administration at the Capital.

(Signed at the End of the Letter)

" J. Creswicke,	Geo. Dudley,
E. H. Cruttenden,	Tho ^r Rous,
George Cuming,	Rob. Jones,
John Roberts,	Charles Cutts,
J. Pardoe,	Fred ^k Pigou,
Peter Du Cane jun.	Hen ^y Savage,
Luke Scrafton,	J. Purling,
Charles Chambers,	John Harrison,
F. W. Barrington,	Christ ^r Baron,
Edw ^d Wheler,	Tho ^r Saunders,
George Wombwell,	Jos. du Pré."

" To the Right Honble. Robert Lord Clive, Baron of Plassey, Knight of the Most Honble. Order of the Bath, President and Governor of Fort William in Bengal."

Read, from the same Book, the following Extract of a Letter from the Court of Directors to the President and Select Committee of Fort William, dated the 4th March 1767, beginning at Page 456 of the same.

" Our President, and Select Committee at Fort William in Bengal.

D^o Letter,
Par. 12 & 13.

" 12. We assure ourselves of great Advantages from Lord Clive's visiting the Provinces. We are persuaded his Lordship will have established so good an Opinion of our Government, as will give great Permanency to our Affairs, and efface those bad Impressions the Conduct of our Servants for some Years past may have made on the Minds of the People.

(Signed at the End)

" We are, &c. your loving Friends,	
Edw ^d Wheler,	Geo. Dudley,
Jos. du Pré,	Tho ^r Rous,
Cha. Cutts,	John Harrison,
Luke Scrafton,	Fred ^k Pigou,
E. H. Cruttenden,	F. W. Barrington,
John Roberts,	Peter Du Cane jun ^r ,
J. Pardoe,	J. Creswicke,
Hen ^y Savage,	Charles Chambers,
J. Purling,	George Cuming."
Rob ^t Jones,	
Geo. Wombwell,	

Read,

Read, from Book 3, already delivered in, the following Extract of a Consultation of the 19th April 1773, beginning at Page 248 of the same Book.

" Fort William, 19th April 1773.

" At a Consultation; Present,
The Honourable Warren Hastings Esquire, President;
William Aldersey,
P. M. Dacres,
Richard Barwell,
James Lawrell,
Henry Goodwin,
John Graham,
Geo. Vansittart,
Mr. Lane at the Cutcherry.
Mr. Lambert indisposed.

Sec. Dept.
Monday.

} Esquires.

" The President lays before the Board the following Extract from the Select Committee's Proceedings of the 15th instant.

" Extract of the Select Committee Proceedings the 15th April 1773.

" It having been resolved to take present Possession of the Province of Corah, on Behalf of the Company, the Committee are of Opinion that it will be essentially necessary, both for securing the Company's Rights in that Province, and as a preparatory Step to any Exchange of that District, or other Mode of Cession which may be resolved on immediately, to depute a Member of the Board to Corah, to receive Charge of it from the General, and to investigate and form an Account of the Revenue; and that he be invested with full Powers to exercise such an Authority and Controul over the Naib Muncer ul Dowlah, and the other Officers of that Government, as may be requisite for these Ends. The Service in which the General is immediately engaged, as well as the Nature of this Trust, which is totally foreign from the Duties of his Profession, and requires the Superintendence of a Person experienced in the Business of the Revenue, preclude us from receiving the Aid of his Services on this Occasion; besides that, such an express Deputation will have the Effect of marking, in the most publick and authentic Manner, the Determination of this Government, to maintain its Right to the Property or Disposal of the Province of Corah. And this Opinion we conceive to be of very great Importance towards procuring an Equivalent for the Cession of it, whenever that shall be made a Subject of Negotiation, the more so as the remote Situation of that Country too apparently shews that it cannot be our Interest, and therefore not our Intention to retain the Possession of it.

" The Vizier having in several of his Letters expressed an earnest Desire to have an Interview with the President, and many Points of Consequence requiring an Adjustment which cannot be effected without a personal Conference, the Committee are further of Opinion, that a Meeting between the Vizier and the President would, at this Season, be productive of great Benefit to the Company's Affairs.

" Resolved, That we submit these Subjects to the Consideration of the Council at large.

" The Board approve of both Propositions offered by the Select Committee.

(Signed at the End of the Consultation)

" Warren Hastings,
W. Aldersey,
P. M. Dacres,
James Lawrell,
H. Goodwin,
J. Graham."

Read, the following Consultation of the 18th June, 1773, beginning at Page 382 of the same Book :

" Fort William, the 18th June 1773.

" At a Consultation; Present,
The Honble. Warren Hastings, Esquire, President;
William Aldersey,
Philip M. Dacres,
Thomas Lane,
Rich^d Barwell,
Henry Goodwin,
John Graham,
William Lambert,
George Vansittart,

Secret Dept.
Friday.

} Esquires.

" The Consultation of Yesterday read and approved.

" The Board having assembled this Day solely for the Purpose of deliberating on the Instructions to be given to the President respecting his Interview with the Vizir, and the other Affairs in his Journey

Instructions to
the President.

Journey to Benaras : They have accordingly agreed on a Set of Instructions, which they have ordered to be drawn out and signed ; but as in an Affair so delicate as the Negotiation with foreign Powers, was the least Intimation to escape of the Intentions of the Company, it might serve to frustrate the Accomplishment,

Not yet to be
entered on re-
cord.

“ Ordered, That the Instructions be not for the present entered on the Consultations, but that the Secretary draw out the fair Copy with his own Hands, for signing and delivering to the President ; and that he also make out a Copy to be sealed up, and left with the senior Member of Council presiding in his Absence, to be kept till his Return, or until the Board shall order otherways.

“ Warren Hastings,
W^m Aldersey,
P. M. Dacres,
H. Goodwin,
J. Graham,
George Vansittart.”

Read, the following Extract of a Consultation, dated the 4th October 1773, beginning at Page 516 of the same Book :

“ Fort William, the 4th October 1773.

Secret Dept.
Monday.

“ At a Consultation ; Present,

The Honble. Warren Hastings, Esquire, being returned, now resumes his Seat at the Board as President ;

William Aldersey,
Philip M. Dacres,
Henry Goodwin,
John Graham,
and
} Esquires,

George Vansittart, Esquire, who is also returned, with the Governor, and takes his Seat accordingly.

“ Read, and approved, the Proceedings of the 27th ultimo.

“ The Instructions given to the Governor before his Departure for Benaras, which the Board at that Time thought proper to seal up, and deposit in the Custody of Mr. Aldersey, are now opened and recorded as follows, with the Letters written in Consequence.

“ To the Honble. Warren Hastings, Esquire, President and Governor of Fort William, &c. &c.

The Govern-
nor's Instruc-
tions given
the 23d Jun .

“ Honble. Sir,

“ At our Consultation of the 19th April, we expressed our Approbation of the Resolution of the Select Committee for your obtaining a personal Interview with the Vizir ; and as in Consequence of the Vizir's repeated Desire, you have now determined on proceeding for that Purpose to Benaras, we shall beg Leave to lay before you such Points in the political Interests of the Company, as from the Orders of the Court of Directors, and the present State of Affairs in this Government, are the more immediate Objects of our Wishes. At the same Time, the Circumstances of our Situation and Connections with the King and the Vizir, are liable to so many Variations, that we find it difficult to mark out any precise Line for your Conduct ; nor indeed do we judge it necessary, as we repose an entire Confidence in your Experience and Abilities, to improve to the utmost for the Company's Benefit the different Events which may occur.

“ It is evident, that the Treaties which at present subsist between the Company and the Vizir, are settled upon an unequal Footing ; we are called on every Occasion to his Assistance, without any immediate Advantage to our Employers, or even any regular and adequate Adjustment of the Stipulation in the Treaty for the Payment of our Expences ; while, on his Part, the Aid which he is bound to afford us is left loose and undefined, and in all Probability, from the Nature and Constitution of his Army, in case of real Dangers, would prove useless and ineffectual. It is therefore advisable to effect an Alliance with him on Grounds of reciprocal Advantage and Support.

“ Of such an Alliance, one of the most essential Articles will be to secure the regular Payment of sufficient Subsidies, for the Charge of such Bodies of our Troops as may march at the Requisition of the Vizir ; and although in our former Treaty, the Stipulation is made only for our extraordinary Expences, yet, when we consider that whilst removed at such a Distance from our Territories, they are in Effect lost to our own Service, we think it reasonable that the whole Expence should be borne by him, but this can only be effected by your Address and judicious Management, as the Engagements now subsisting between us, from which we do not mean to depart, do not entitle us to claim it as a Right.

“ While the King continues at Delhi, whither he proceeded in Opposition to our most strenuous Remonstrances, we shall certainly consider the Engagements between him and the Company as dissolved, by his Alienation from them and their Interests. The Province of Kerah, in this Case, will revert to them as to the original Proprietors, by his Inability to hold it on the Terms and for the

the Purposes for which it was ceded to him. As the Possession of so remote a Country can never be expected to yield any Profit to the Company, and the Defence of it must require a perpetual Aid of their Forces, and prove a Source of much Jealousy to the neighbouring Powers, it must be our earnest Wish to be freed from so inconvenient a Possession, on the best Terms which can be obtained for the Disposal of it. If the King's Pretensions are removed, the Claim of the Vizir to this District will come next in Preference, both on Account of our Alliance with him, its Contiguity and Relation to his Dominions: And this Preference being consonant to the Company's Orders, in that Case it would undoubtedly be our first Wish to obtain from him the Districts of Cherrar and Gauzipore in Exchange for it. The Honble. Company have earnestly enjoined us to endeavour to effect this for the sole Purpose of placing the King in the Possession of a Territory situated so near to our Borders, and would no doubt be well pleased with the Acquisition of it to their own Possessions; yet we are aware of the Repugnance of the Vizir to part with so valuable and important a Territory, and as we cannot either in Justice or in Obedience to the Commands of our Superiors, which recommended the strictest Delicacy in our Negotiations with their Ally, use any peremptory Requisition with him to engage his Acquiescence in such an Accommodation; we content ourselves with intimating the utmost Extent of our Desires on this Head, leaving the Accomplishment of them to your Management and Discretion, in such a Mode, and to such a Degree, as you shall find yourself enabled to effect it.

" It however, as is most probable, the King should make Overtures to renew his former Connections, we are of opinion, that his Right to reclaim the Districts of Cora and Illahabad cannot with Propriety be disputed; and we authorize you to restore them to him, on the Condition of his granting to the Company a solemn Renunciation of the Tribute, which has been allowed him from the Provinces of Bengal and Bahar, both of the Arrears which may be due, and of all future Payments for ever: While we require this as a just Retribution for the Service afforded him, in maintaining the Possession of these Districts against the Marattas, to whom his Weakness had abandoned them, we are justified by the stronger Plea of absolute Necessity, in insisting upon it, as our Revenues are utterly unable to support any longer so ruinous an Expence. It is probable that the severe Proof which he has recently experienced, of his utter Inability to support his Pretensions to the Power and Dominions of his Ancestors, and the disgraceful Treatment which he has received from his false Protectors, will exempt him from the Hazard of the like Delusion hereafter, and induce him to remain contented with his former Residence, in a State more suited to the moderate Comports of his Genius, and the reduced Influence of his Family. In that Case, it will be his best Policy to connect himself again with the Vizir, and to entrust him with the Administration of his Affairs, as we do not see how it is possible for him to subsist by his own Strength; and the State of our Finances rendering it inconvenient to us to burthen ourselves with so unprofitable a Charge. The Pride of the Vizir may be gratified with such a Connexion, and his Authority may derive some Degree of Support from the Veneration which is yet paid to the Royal Name. This Point, therefore, we heartily recommend to your Attention; the Power of the King and the Vizir being thus united, and the Object for which the Presence of the King, near the Borders of Bahar, was desired by the Company, being removed by the Renunciation of the Tribute, it will then become an immaterial Consideration, in what Part of the Territories of the Vizir he shall hereafter reside.

" We refer to you to adjust the Claim of the Vizir on the Company, for the ^{Tuncaw} * granted him by the King on the Treasury of Moorshedabad, and herewith furnish you with the Extracts from our Consultation of the 13th May, containing the only Information which we have hitherto received concerning that Transaction, and you will, no Doubt, be furnished with the rest from the Select Committee. * Sic in Orig.

" We empower you to renew, in Behalf of Rajah Cheyte Sing, the Stipulation which was formerly made with the Vizir, in Favour of his Father Rajah Bulwand Sing, in Consideration of his Services to the Company in the Year 1764.

" In a Treaty of firm Alliance with the Vizir, a free Intercourse of Commerce with his Dominions ought to form an Article; and as you are acquainted with the earnest Wishes of the Company on this Head, you will, no Doubt, pay the greatest Regard to them. The Regulation of this Commerce, with respect to the Mode of carrying it on, and the Duties to be paid, will be an Object of your Attention, and we rely on your Care and Judgement for adjusting these to the Satisfaction of our Employers. A similar Regulation to that which we have lately adopted with respect to Duties in our own Territories, would be the most desirable, if the Vizir's Consent can be obtained.

" Mr. Lawrell will have our Orders to meet you at Benaris, and furnish you with such Information as he may have collected, regarding the Districts of Corah and Illiabad. He will also be directed to conform to any Measure or Stipulation, which you may engage in, for the Cession of these Districts.

" We have found it necessary this Season, for the more effectual Protection of the Vizir's Dominions, to extend our Operations to the Country of the Rohillas, on the North of the Ganges. We approve of your concerting with the Vizir, any Plan which may be necessary for his further Security on that Side, consistently with the Spirit of the Company's Orders.

" In

" In consequence of the Measures which you may adopt, it will rest with you to determine, whether or not any Troops shall be stationed in the Viziers's Dominions; if there should, we recommend that the Second Brigade do relieve the First, and take its Tour of that Duty.

" We already observed, That we mean rather to intimate our Wishes than lay down any absolute Rules for your Conduct on this Occasion. For your more particular Guidance, we furnish you with Copies of the public Treaties, and the Company's Orders extracted from their several Letters since the First Treaty that was entered into with the Vizier.

" Should you be able to afford any Leisure to inspect into the State of our Affairs in the Provinces of Behar, and to regulate the Expences of the Revenue and Factory at Patna and Dinapore Cantonments, we desire your Assistance in these essential Points; and shall send the proper Instructions to the Chief and Council at Patna, to conform to any Regulations you may think it proper to give them.

" Fort William,
the 22d June 1773.

" We are, with Regard, &c.
(Signed)

Warren Hastings,
W. Aldersey,
P. M. Dacres,
Thomas Lane,
Rich^d Barwell,
H. Goodwin,
J. Graham,
W. Lambert."

(Signed at the End of the Consultation)

" Warren Hastings,
W. Aldersey,
P. M. Dacres,
H. Goodwin,
J. Graham,
George Vansittart."

Read, from Book 113, already delivered in, the following Extract of a secret Letter from the Governor General and Council at Fort William, to the Court of Directors, dated the 7th of February 1784.

" To the Honble. the Court of Directors, for Affairs of the Honble. United Company of Merchants of England, trading to the East Indies.

" Par. 21. Your Honble. Court has already been made acquainted with the Resolution, which we thought it necessary to pass on the 31st of December, for withdrawing the Residency from Lucknow, and accepting the Offer made by his Excellency the Vizier, and his Minister, of the Security of Bankers of known Credit and Responsibility, for the Payment of the Balance due from his Excellency to the Company, and other current Expences, the Governor General being specially responsible for the Propriety of the Measure. Mr. Wombwell, our Accountant at Lucknow, having been directed to receive such Security from the Vizier, has lately transmitted to us a Copy of the Engagement entered into by Two Bankers, named Lala Butchrange and Faquir Chund, in which they make themselves answerable for the Sum of Lucknow Sicca Rupees 1,03,84,420, being the Balance due from his Excellency to the Company, at the End of the last Fulslee Year, as well as for the Subsidy and other current Demands of the present Year, according to a Statement adjusted by Mr. Bristow. Part is to be paid in the Course of the present Year 1191, and the Remainder the Course of the next Year 1192 Fulslee. A Copy of the Engagement attends you, a Number in the Packet.

22. " The Governor General having laid before us, Copies of a Correspondence which passed between Mr. Wombwell and Mr. Bristow, by which it appears that Mr. Bristow has hesitated to obey the Order which directed his Return to the Presidency, in Consequence of some Doubts expressed to be primarily founded on the Terms of that Order, which he expressed to be " loose and indefinite" we have sent our peremptory Commands to Mr. Bristow to leave Lucknow, and repair to the Presidency immediately, directing in like Manner the Assistants of his Office to do the same.

" 23. We have the Honour to transmit to you a Number in this Dispatch, Copy of a Minute delivered by the Governor General on the 20th of last Month, in which the Governor informs us of a Letter he had received from his Secretary Major Palmer, at Lucknow, containing a very alarming Representation of the disordered State of the Vizier's Dominions, and urging the Necessity of his repairing to Lucknow for the Purpose of giving his personal and early Assistance to the Nabob Vizier for their Retrieval; and that from other Letters received from Lucknow, upon the same Subject, the Governor General understands, that this was the expressed Wish of the Nabob

Nabob Vizier, his Minister, and all the principal Persons of his Family and Court; having also great Reason to believe, that as soon as the Nabob should have received the Notification lately transmitted to him of the last Resolutions of the Board, he would declare the same With in Terms, and connect it with his Acceptance of the Engagement prescribed to him: The Governor General has therefore made us an early tender of his Services to proceed to Lucknow, whenever he shall receive an Invitation from the Nabob Vizier to that Effect, for the Purpose of regulating the Company's Interests in that Province, and affording the Nabob Vizier the like Assistance for the Regulation of his.

" 24. For the other important Reasons which have induced the Governor General to make this Offer, we beg Leave to refer you to his Minute, which we deem well deserving your Attention. The Minutes of the other Members of the Board now at the Presidency, on this Subject, are also enclosed, Numbers in this Address; and by these you will observe, that the Governor General's Tender of his Services to repair to Lucknow, has been accepted on the following Conditions; viz. That the Nabob Vizier shall, in his Letters to this Government, press the Assistance of the Governor General's Abilities in forming new Arrangements for the internal Management of his Country, and the Aid of his personal and official Influence to carry them into Execution, and state it as a Measure absolutely necessary to be adopted for the Regulation of his Finances, and the speedy Liquidation of his Debt to the Company, connecting it also with the Acceptance of the Engagement prescribed to him; and that the Governor General shall be of Opinion, that his Services can be more effectual, and generally beneficial to the Interests of the Company, by their being employed in that Country, than in the arduous and important Duties annexed to his Station at the Presidency.

(Signed at the End)

" Fort William,
Feb^y 7th 1784.

" Warren Hastings,
Edw^d Wheler,
John Stables."

Read, from Book 211, already delivered in, the following Extract of a Letter from the Court of Directors to the Governor General and Council at Fort William in Bengal, dated the 11th of April 1785, beginning at Page 41, of the same Book.

" Our Governor General and Council at Fort William in Bengal.

" Par. 63. The Resolution you passed on the 31st December 1783, to withdraw the Residency from Lucknow, and to accept the Offer made by the Vizier and his Minister, to give the Security of Bankers of known Credit and Responsibility for the Payment of the Balance due to the Company, and the Current Kists, has our Approbation; but by this Approbation it is by no Means our Intention, either on the one Hand to condemn the Conduct of our Residents, or on the other to preclude ourselves from examining into the Complaints exhibited against them by the Vizier and his Minister; we approve likewise of the Continuance of an Accountant or Receiver at Lucknow, so long as any of the Company's Troops shall be stationed in the Vizier's Dominions; whose Business must be confined to the sole Purpose of adjusting and keeping the Accounts between the Nabob and the Company; receiving the stipulated Subsidy for those Troops, and for appropriating the same in such Manner as you shall think proper to direct.

(Signed at the End)

" London,
the 11th April 1785.

" Nath^l Smith,
W. Devaynes,
L. Sullivan,
John Motteux,
W. Bensley,
Tho^s Parry,
F. Baring,
John Manthip,
Jn^o Woodhouse,
Jn^o Michie,
George Tatem,

J. Smith,
Joseph Sparkes,
Ja^s Moffatt,
Paul Le Mesurier,
Hugh Inglis,
E. Boehm,
R^d Hall,
Stephen Lushington,
John Hunter,
W. Mills,

Read, from Book 528, already delivered in, the following Extract of a Letter from the Court of Directors to the Governor General and Council at Fort William, dated 21st of September 1785.

" Our Governor General and Council at Fort William in Bengal.

" Par. 19. And while upon this Subject, we think it proper to express our Approbation of the Principles contained in Mr. Macpherson's Letter to the Vizier, bearing Date the 18th February

bruary, last; and we expect that the Agreements made between the Vizier and Mr. Hastings will be invariably adhered to. (a)

" London,
the 21st September 1785.

(Signed at the End)

" W. Devaynes,	Tho' Fitzhugh,
Nath' Smith,	Cha' Mills,
L. Sullivan,	George Cuming,
J. Manthip,	Paul Le Mesurier,
Jn ^o Townson,	Hugh Inglis,
John Roberts,	F. Baring,
Tho' Cheap,	Ja' Moffatt."
Tho' Parry,	

Read, from Book 521, already delivered in, the following Extract of a Letter from the Governor General to the Court of Directors, dated the 4th of March 1787.

" The Honble. Court of Directors for Affairs of the Honble. United Company of Merchants of England, trading to the East Indies. *

" Par. 9. I think I may acquire useful Information to myself, by taking as early an Opportunity as may be convenient, to visit some of the principal Places of these Provinces; and it may also be of public Utility, that I should inspect the Whole of the Army upon this Establishment; it is therefore at present my Intention to avail myself of the Southerly Winds that prevail during the Rains, and to proceed by the River, without making many Halts, to the furthest Station of the Army at Futty-Ghur; and to employ a few Months, if I can spare so much Time, in Civil and Military, Investigations, upon my Return.

" I have the Honour to be, with great Respect,
Honble. Sirs,

" Fort William,
March 4th, 1787,

Your most obedient,
and most humble Servant,
" Cornwallis."

Read, from Book 522, the following Extract of a Consultation of the 20th April 1787, beginning at Page 33, of the same Consultation.

" Fort William, 20th April 1787.

" At a Council; Present,
Earl Cornwallis, K. G. Governor General, President;
The Honble. Charles Stuart,
Sir John Macpherson, Bart. absent from the Presidency,
John Shore Esquire, indisposed.

Secret and
Political Dep.
Friday.

* See in Orig. " The only material Difference which has taken Place in the Engagements between this Government and the Nabob * Vizier, relates to the Brigade stationed at Futty Ghur. The Continuance of which Body of Troops in the Dominions of the Vizier, I deem equally essential to the Interest of the Vizier and of the Company. In other Respects, I have nearly adhered to the Principles established by the former Governor General, Mr. Hastings, and since, confirmed by the Orders of the Honourable the Court of Directors.—All the subsidiary Arrangements have been formed with a View to strengthen those Principles, and render them permanent. (b)

(Signed at the End of the Consultation)

" Cornwallis,
Cha. Stuart."

Read, also, a further Extract from the same Consultation, beginning at Page 45, of the same Book.

* See in Orig. " The Board are well informed, that the Administration of Affairs in the Owde Government depends entirely upon the Minister; that the Vizier himself has no farther Concern in it, than to give the Sanction of his Name and Authority to the Acts of his Servants; and such is his Disinclination to every Thing that has the Appearance of Business, that even this Formality is not complied with on his Part * Reluctance. The Vizier himself being profuse to an Extreme, and little solicitous concerning the Mode of obtaining Funds to supply his Habits of Dissipation; The Company must rather look to the Minister than to him for the punctual Performance of his Engagements. Exposed as he is to the Effects of Caprice and Intrigue, it is impossible to determine how long the Nabob Hyder Beg Cawn may continue to possess the Confidence of the Vizier. (c)

" Cornwallis,
Cha. Stuart."

(a) Vide Appendix, N^o. CCXXXV. (b) Vide Appendix, N^o CCXXXVI. (c) Vide Appendix, ibid.

Read,

Read, from Book 521, already delivered in, the following Extract of a Letter from the Governor General and Council to the Court of Directors, dated the 17th of May 1787.

" Par. 12. We beg Leave to acquaint you; that Lord Cornwallis proposes to visit the Military Stations of the Army, within and without the Provinces, in the Month of July. His Lordship's Absence from the Presidency will be as short as the Objects of the Tour will allow; and during that Time the Civil Government will be conducted by the Members of the Council.

(Signed at the End)

" Fort William, Secret Department,
17 May 1787.

" Cornwallis,
Cha^r Stuart,
J. Shore."

Read, from Book 522, the following Extract of a Consultation of the 27th July 1787, beginning at Page 36 of the same Consultation :

" Fort William, the 27th July, 1787.

" At a Council; Present,

The Right Honble. Charles Earl Cornwallis, K. G. Governor General, President;
The Honble. Charles Stuart, and
John Shore, Esquire.

Secret and
Political Dept.
Friday.

" The Governor General delivers in the following Minute :

" The Governor General—Since I had the Honour of being nominated to the Station which I now hold, I have ever considered it as a Duty incumbent upon me, to embrace the earliest Opportunity that my other Official Occupations would admit of, to view Part of the internal Districts of the Country, and to inspect the Army upon the Establishment, at the most distant Stations.

Gov. Gen.
Minute.

" I trust that in carrying my Intentions upon these Heads into Execution, I shall not only acquire much useful Information to myself, but at the same Time, that I shall be able to take many Measures that may tend to promote the public Benefit.

" The Tranquillity at present enjoyed by all the Company's Possessions in India, the Completion of our Revenue and Commercial Regulations, and the many Arrangements that have lately taken place in the other Departments of Government seems to point out this Period, as one of the most favourable that can be expected to offer, for my being absent a few Months from the Presidency, without material Inconvenience to the public Service; accordingly, having made every Preparation, I intend to proceed on my proposed Tour on the 29th or 30th Instant.

" The Post Master General has already taken Measures for keeping up a regular and expeditious Correspondence between me and the Board, during my Absence from Calcutta: I shall constantly communicate to them every Remark and Incident which I think may be worthy of their Notice; and the warm and friendly Support that I have hitherto experienced from the Members of it, leaves me no Doubt of receiving the fullest Information from them of every Occurrence, in all Branches of the public Business.

" I am equally persuaded that it may be proper, that I should request that final Decisions upon important Points of Politics, Revenue, or Commerce be delayed, until we have had an Opportunity of a mutual Communication of Sentiments upon them.

" Should a Necessity arise, I shall always be ready, at the Call of the Members of the Board to repair with great Expedition to the Presidency at the shortest Notice.

" There having been an Order of the Board in the Year 1783, investing the Senior Member of Council, with the Government of Fort William, during the Absence of the Governor General; it becomes necessary for me to declare my Opinion, that, in such a Case, the Constitution of this Government requires, that all necessary Orders to Fort William, and to all the Stations of the Army, must be issued by the Members present in Council, in the Name of the Board; it appears to me that no Individual can legally exercise the Powers of Governor of Fort William, but the Person who holds the Office of Governor General."

" The Board are happy in this Occasion of expressing their Assurances to the Right Honble. the Governor General, that they shall make it a Rule to preserve a constant Intercourse with him on all material Points of public Business, and that their own Wishes will induce them to obtain a Communication of his Sentiments, on any important Matters of Politics, Commerce, or Finance, previous to their final Decision upon them.

" The Board entirely concur in the Opinion given by the Right Honble. the Governor General, in regard to the Government of Fort William during his Absence.

" Cha^r Stuart,
J. Shore."

Read, from Book 523, the following Extract of a Letter from the Governor General and Council, at Fort William, to the Court of Directors, dated the 16th August 1787.

" The

" The Honble. the Court of Directors for Affairs of the Honble. United Company of Merchants trading to the East Indies.

" The Governor General, deeming the present a very favourable Period for carrying into Execution the Intention which he has long formed, of visiting the internal Districts of the Country, and inspecting the Army upon this Establishment, at the most distant Stations; his Lordship left Calcutta with this Intention on the 28th ultimo, and had advanced, by the latest Advices which we have received of him, as far as Patna.

(Signed at the End)

" Fort William,
Secret Department,
the 10th August 1787.

" We have the Honour to be,
Honble. Sirs,
Your most faithful, humble Servants,
" Cha^s Stuart,
J. Shore."

Read, from the same Book, the following Extract of a Letter from Lord Cornwallis to the Court of Directors, dated the 18th August 1787.

" The Honble. the Court of Directors for Affairs of the Honble. United Company of Merchants trading to the East Indies.

" 12. I have now passed Monghyr, on my Way to visit the Upper Provinces and the different Stations of the Army; I have some Reasons to apprehend that the Discipline of the Troops is in an imperfect State, and I am therefore convinced that your Interests require that I should personally inspect them. There are also, within the Bounds of my intended Tour, many important Objects in the Civil Departments to which I shall certainly pay a very minute and serious Attention.

" I have the Honour to be, with great Respect,
Honble. Sirs,

" On the Ganges,
August 18th 1787.

Your most obedient and most humble Servant,
" Cornwallis."

Read, from Book 558, the following Extract of a Letter from the Court of Directors to the Governor General and Council, dated the 28th of March 1788.

" Our Governor General and Council, at Fort William in Bengal.

" Par. 97. We are very much pleased with Lord Cornwallis's Intention of visiting the Military Stations of the Army, within and without the Provinces, as it will enable his Lordship to propose such Regulations as will no Doubt be of great Utility to the Service.

(Signed at the End)

" London,
the 28th March 1788.

" J. Smith,	John Motteux,
W. Bensley,	Nath ^l Smith,
Hugh Inglis,	John Manthip,
T. Pattle junior,	Edm ^d Boehm,
Tho ^s Fitzhugh,	Tho ^s Fitzhugh,
Steph. Lushington,	Paul Le Melurier,
John Travers,	Tho ^s Cheap,
Jn. Townson.	

Read, from Book 559, the following Extract of a Letter from the Court of Directors to the Governor General and Council, dated the 6th of April 1789.

" Our Governor General and Council, at Fort William in Bengal.

" Par. 3. 18 a 39. Having attentively perused all the Minutes, Proceedings, and Letters referred to in these Paragraphs, and in your subsequent Advices, on the Subject of the late Agreement concluded by Lord Cornwallis with the Vizier, we approve of the general Arrangement, and of the Principles on which it was founded. The Nature of our Connection with the Vizier is now accurately defined. The Defence of Oude is assigned to the British Troops under a fixed Subsidy, and the internal Government of the Country remains with the Nabob. We observe, however, by Lord Cornwallis's Minute of the 26th April 1787, that you do not conceive yourselves precluded from making Representations to him on the Subject of his Administration, whenever you shall think it necessary, or from proposing such general Arrangements as shall appear likely to contribute to the Prosperity of both Governments. By this Idea we conceive his Lordship was actuated, when, in his Instructions to the new Resident, Mr. Ives, he directed him to keep a watchful Eye on the Conduct of the Vizier's Minister Hyder Beg Cawn, and to give Information to his Lordship of any Steps manifestly oppressive to the People, or injurious to the Vizier. We look on this Precaution to be the more necessary, as from the well known Character of Asoph ul Dowlah, Hyder Beg can be considered in no other Light, than as being, at present, in the complete and absolute Possession of the Government of the Country. We are aware, that

Under a former System, Hyder Beg was not only reproached with a general Neglect in the Administration of the Vizier's Affairs, but it was also supposed that the Country owed its ruined State entirely to his Mal-administration. But, under a System defective in almost every Part of it, and from the Abuses which arose out of that System, the present unfortunate State of the Country may, in our Opinion, be fairly attributed to a Combination of Causes; among these is the Claim, which is now very wisely relinquished, of Right of Pre-emptions, and of Exemptions from Duties in the Province of Oude, made and exercised by Contractors employed in providing the Investment, and which, in the Opinion of Lord Cornwallis, has essentially contributed to its Ruin. The immense Drain of Specie from that Country of late Years, amounting, from February 1774, to September 1783, to the enormous Sum of Two Crores and Thirty-nine Lacks of Rupees (exclusive of what may have been sent down, to Calcutta to answer the Bills drawn for the Payment of the Troops, and on private Account), stands foremost, in our own Opinion, among the Causes that have operated so much to its Prejudice. Lord Cornwallis, even previous to the late Negotiation, could be no Stranger to the general Character of Hyder Beg, or to the very unfavourable Opinion that had been entertained of him; and when his Lordship confided in him, in preference to any other, for the Completion of his Arrangements in Oude, it must have been for the most substantial Reasons. Indeed his Lordship has since asserted in direct Terms, that he is by no means blind to that Minister's Character, making, at the same Time, a Declaration of his absolute Certainty of its being contrary to our own Interest to become instrumental in displacing him. We find also, that the Resident, in his Letter of the 7th January 1788, has represented the little Advantage that would accrue from a Change of Ministers; and that the Chances are greatly against pitching on one possessed of more public Spirit and Disinterestedness than Hyder Beg Cawn, or who has equal Ability, Application to Business, and Knowledge of the Country.—After a due Consideration, therefore, of all these official Documents, we are inclined to hope, that the Confidence lately reposed in this Minister will not have been misplaced. He may be fairly said to owe his Power to our Influence, and must therefore be naturally solicitous to preserve our good Opinion. We observe, by Colonel Harpur's Letter to Lord Cornwallis, of the 11th October 1787, that Hyder Beg has expressed his Obligations, that all his Doubts and Suspicions were removed, and that he saw no Impediment to the Completion of the public Engagements to the Company, or the Improvement of the Country and the Revenue. With respect to his Engagements with the Company, we are happy to learn, by your Dispatch of the 6th March 1788, notwithstanding the Apprehensions to the contrary expressed in the Correspondence of the Resident, that he has discharged these with sufficient Regularity; and we shall be impatient till we hear of the Progress that has been made towards the Prosperity of the Province. We are particularly anxious for the Conclusion of the Commercial Treaty with the Nabob of Oude, from the Hopes entertained by Lord Cornwallis that it will tend to recover that Country from its present miserable and exhausted Condition.

“ 4. With regard to the Settlement that has been made of the Business of Furruckabad, the Allowance to the Prince Mirza Juan Buckt, the Reduction of the Forces under Almas Ally Cawn, the Salaries to the Resident, &c. at Lucknow, and other inferior Arrangements, we need only observe, that they have met with our Approbation.

(Signed at the End)

“ London,
the 8th April, 1789.

“ Tho' Parry,
A. Roberts,
J. Smith,
D. Scott,

Nathl Smith,
W. Devaynes,
Step. Lushington,
George Tatem,
T. Pattle,
Ja' Moffatt,
W. Elphinstone,
John Travers,
John Hunter,
W. Bensley,
Jn' Woodhouse,
Tho' Fitzhugh,
Lionel Darell.”

Read, from Book 524, the following Extract of a Consultation, of the 6th November 1790, beginning at Page 115 of the same Book.

“ Fort William, 6th November 1790.

“ At a Council; Present,
Earl Cornwallis, K. G. Governor General, President;
Peter Speke,
and
William Cowper, } Esquires.
The Honourable Charles Stuart absent on the River.

Political Dept.
Saturday.

“ The following Minute from Lord Cornwallis was delivered Yesterday to the Secretary, and communicated to Mr. Speke; Mr. Stewart having left Calcutta for a few Days, it is to be sent to him on his Return.

“ Minute from the Governor General.

No. 1. Minute
from the Go-
vernour Gene-
ral.

“ I know that the other Members of the Board participate in my Anxiety concerning the present State of the War with Tippoo Sultaun, and are equally apprehensive that the late Occurrences in the Country of Coimbatore, may be attended with several disadvantageous Consequences to the public Interest.

“ The general Success of the Operations of the Southern Army since the Commencement of Hostilities, and particularly the speedy Reduction of the important Fortresses of the Dindigul and Palacatcherry, and the gallant Behaviour of the Detachment under the Command of Colonel Floyd, have undoubtedly occasioned great Detriment to the Enemy, and in the Opinion of all, who are candid and know the Truth, have done singular Honour to the British Arms; it cannot however be denied that the Retreat of Colonel Floyd's Corps, and the Loss of the Artillery, which he was obliged to abandon, have furnished the Enemy with plausible Means of imposing upon his own Subjects and upon our Allies, by laying Claim to a Victory; and the real Interruption that has been given to the Collection of Provisions, and the Loss of Magazines that has been sustained by Tippoo's Irruption upon that Occasion, will, I am much afraid, be attended with the bad Effects of preventing our Army from entering the Mysoore Country before the Commencement of the Carnatic Rains, and consequently of reducing it to a State of entire Inactivity till the Month of January next.

“ I have the highest Opinion of General Meadows's Zeal for the public Good, as well as of his professional Abilities; and I am perfectly convinced that no Exertion would be wanting, on his Part, in expediting every Arrangement which may be necessary, to continue without Interruption, or to resume without Delay, the Execution of our offensive Operations, which can alone produce an honourable Termination of the War; but if unfortunately our Armies in the Carnatic should not be able to act before the beginning of January next, we should not only be under great Difficulties to account for the Delay to the Satisfaction of our Allies, but we should also have the most serious Grounds for Apprehension, that Tippoo would avail himself of that Opportunity to turn his whole Force against the Mahrattas and the Nizam, and endeavour either to weaken their Power, or intimidate them into a Negotiation for a separate Peace.

“ Under these Circumstances, it has appeared to me, that, exclusive of every Measure that may be adopted for promoting our own offensive Operations against the Mysoore Country in the Beginning of January, it may be of great Consequence to the public Interest, that some immediate Steps should be taken, which may tend to animate and encourage our Allies to persevere, with Firmness, in the favourable Disposition which they have lately shewn to perform their Engagements; and although I am not vain enough to suppose that the Military Operations would be conducted more ably, or with more Success, by myself than by General Meadows, yet, from the Station which I hold in this Country, and from the friendly Intercourse which I have hitherto had the good Fortune to maintain, both with the Nizam and the Peshwa, I conceive it to be possible that my Presence in the Scene of Action would be considered by our Allies as a Pledge of our Sincerity, and of our confident Hopes of Success against the common Enemy, and by that Means operate as an Encouragement to them to continue their Exertions, and abide by their Stipulations.

“ I am aware that some Inconvenience may arise by Absence from the Seat of Government, and that the existing Laws do not describe the Powers which ought in such a Case to be delegated by the Supreme Board to the Governor General; but, notwithstanding these Objections, I am so fully impressed with the Belief that the public Interest will be on this Occasion best promoted by my undertaking the Direction of the War in Person, that I have resolved, with the Approbation of the Board, to proceed to Madras in the Beginning of the next Month; and should the Board concur in Opinion with me on the Propriety and Utility of this Measure, I need hardly suggest that it will become necessary to invest me with such Powers as may be thought suitable to my Station of Governor General, and which may appear to be calculated to enable me to apply the whole Force of the Company with Energy for the Prosecution of the War, or to avail myself, with Promptitude and Effect, of any favourable Opportunity that may offer for negotiating and obtaining an honourable and advantageous Peace.

“ Enjoying as I do the high Satisfaction of living on Terms of Cordiality and Friendship, both public and private, with my Colleagues in Office, and well acquainted as I am with their earnest Desire to support my Endeavours for promoting the public Prosperity, I could not entertain a Doubt, even if I had not formerly, on a similar Occasion, been flattered with the most liberal Declarations of their Confidence, that the Measures for the internal Government of Bengal, which I have hitherto pursued, and in the Success of which my Share of Responsibility is so great, will, during my Absence, be uniformly supported and punctually executed.

“ The Completion of the Settlement of the Revenues upon the Principles which have been already adopted, an Adherence to all Regulations that have been established, and a strict Regard to Economy in all Branches of the public Expenditure, are amongst the principal Objects which I trust will command the Attention of the Members of the Board; and from my Knowledge of their Disposition, I have the most implicit Reliance on their communicating with me upon all Points of internal Business, in the Manner that will best tend to promote the public Good, and to preserve my Authority in this Government.

" The Members of the Council may, on the other Hand, be assured, that I shall correspond and communicate my Sentiments to them with as much Punctuality and Expedition as the Nature of the Service on which I am going will allow, and that I shall not only give an accurate Detail of any material Transactions or Occurrences that may happen, but also endeavour to render a satisfactory Account of every Part of my Public Conduct. I shall likewise, on all Occasions, receive their Advice and Suggestions with all the Attention and Deference which is due to private Friends, and to the acting Members of the Supreme Government.

" Mr. Cowper having read and considered Lord Cornwallis's Minute, the Secretary is directed to record in this Place a Minute, which will be sent to him on Mr. Stewart's Return to Calcutta, upon the Subject of that from the Governor General.

" Minute from Messrs. Stuart, Speke, and Cowper.

" The Governor General has fully expressed, in his Minute of the 5th instant, the Sentiments No. 2. we entertain on the present State of the War with Tippoo Sultaun. His Lordship's summary Detail of the late Occurrences in the Coimbatore Country, and his Reflections upon them, appear to us to establish, upon clear and convincing Arguments, the urgent Expediency of his Resolution to proceed to Madras, and take upon himself, in Person, the Direction of the War; nor have we any Doubt that the Public at large will, equally with us, feel it to be a Measure peculiarly called for at the present Crisis.

" Among the Arguments, there is one adduced by the Governor General of particular Weight, and that we therefore think it necessary to distinguish from the rest; it is, that his Presence in the Scene of Action would be considered by our Allies as a Pledge of our Sincerity, and of our confident Hopes of Success against the Common Enemy, and by that Means operate as an Encouragement to them to continue their Exertions, and abide by their Stipulations.

" The full Force of this Argument will be felt by those who have had Opportunities of experiencing the Dispositions, and becoming acquainted with the political Views and Conduct of the Native Powers, and who are therefore capable of appreciating the Effect of the Governor General's Presence, uniting in his Person, on the Scene of Action, the whole Authority we possess in the East.

" With respect to the Inconveniences that the Governor General is aware may be occasioned by his Absence from the Seat of Government, we are inclined to hope that they will not be many, as it is our firm Determination that his Authority shall, in every possible Case, be as effectual during his Absence as it would be while he was present; nor is this Determination created by the high Satisfaction we feel in the Knowledge of his favourable Sentiments of us as Members of Council, or by our Wish to indicate how much we are gratified as Individuals by the Cordiality of the Declaration with which he honours us. Exclusive of these personal Incitements, we are sincerely and deliberately of Opinion, that the Interest of the Public requires the entire Preservation of his Authority. In proportion as this can be made manifest the idea of a Change of Government will vanish, and we shall easily attain the very important Object of giving Confidence to the Natives of Bengal, as well as to our more immediate political Connection* in the Permanence of the Measures and Principles at present established. We cannot, therefore too strongly inculcate by overt Acts, that the Power of the Governor General will be in no Respect diminished by his Departure. It should be generally known, that in every practicable Case his Opinion will be previously asked, and in particular in that of Appointments to Offices.

* The Vizier,
M. Scindia.

" We observe with the Governor General, the Inexplicitness of the existing Laws, in describing what Powers may be delegated to him by the Supreme Board during his Absence from the Seat of Government; but we cannot feel any Apprehension on this Subject; the public Good, which requires the Measure, justifies the Means; and we therefore declare, that we shall with great Readiness and Pleasure unite in investing his Lordship with whatever Powers his Judgment shall suggest to him as requisite on this Occasion, such as, to use his own Words, (both in this and his former Minute of the 5th February last) may be necessary to enable him to take a temporary Charge of the Civil and Military Affairs at the Presidency of Fort St. George, and that may " be thought ' suitable to his Station of Governor General, or which may appear calculated to enable him to ' apply the whole Force of the Company with Energy for the Prosecution of the War, or to avail ' himself with Promptitude and Effect of any favourable Opportunity that may offer for negotiating ' and obtaining an honourable and advantageous Peace.'

" The Governor General's Assurances of as frequent a Communication with us as Circumstances may admit, are highly pleasing. The public Interests and his personal Prosperity are so intimately united, that our Anxieties for them will be equal.

" Should any Thing occur to us likely to contribute in the smallest Degree to these great Objects, we shall unreservedly communicate it.

(Signed)

" Cha' Stuart,
Peter Speke,
W. Cowper."

" 6th November 1790:

" The Governor General delivers in the following Minute:

" Minute from the Governor General.

Note Minute
from the Go-
vernor Gen-
eral.

" Impressed as I am with the Necessity of using our utmost Efforts to bring the present War against Tippoo to a speedy and happy Conclusion, I have most anxiously considered in what Manner this Government can make the most efficacious Exertions for that Purpose; and I now submit my Ideas to the Members of the Board, trusting, from the Zeal and Spirit which they have uniformly manifested since the Commencement of Hostilities, that they will authorize me to undertake what I now propose, and hoping, from the Good Will and Activity which I am sure to experience from the executive Officers, that I shall be able to carry the Propositions into complete Effect.

" I propose that the 1st Regiment of Native Cavalry shall be augmented to Six Troops of the present Strength; and that a provisional Authority shall be given to Capt. Frith to increase the Complement of each of the Six Troops to 80 Privates, provided it will not delay, or otherwise interfere with the necessary Measures for bringing the Regiment in due Time to the Presidency, which, for the Sake of Dispatch, I shall order to be effected, if possible, by Water Conveyance.

* See in Orig. " I propose that a Draft shall be made of about * 12 or 14,00 Sepoys from the 10 Battalions belonging to the Barrackpore, Berhampore, and Medinupore Stations, to be embarked in the favourable Season, to proceed to such Part of the Coast as may be most convenient for joining Colonel Cockerell's Detachment. I propose that a Preference shall be given to Volunteers for this Service; and I am inclined to hope, after the Success we have already had in removing the Prejudices of the Hindoos to Embarkations by Sea, that a sufficient Number will offer themselves voluntarily.

" As it is an Object of the first Importance to provide for the Draft of our Artillery in the completest Manner, I propose to collect all the trained Draft Cattle from the different Stations within our Reach, either by Land or Water Conveyances, and to authorize the Purchase of any good, serviceable, and well trained Hackney Bullocks that may be procurable, either at the Presidency or at Muxadavad; my Object will be to obtain at least 1000 Head of the best and most efficient Cattle; but we can hardly hope to accomplish it. I propose that any Deficiency shall be made up by young and new Cattle, to be purchased by Mr. Biddulph, who is now on the Spot at Purneah, and though I am aware they will not become immediately useful, I am still in hopes that, by Exertions and Care in training them, they may be made serviceable in a short Time. I propose to make Use of the Agency of Mr. Biddulph, the Contractor at Purneah, and that he should employ his Agent, Mr. Ritso at Berhampore. The Contractor's Agency will be made use of at the Presidency, but as the Cattle procured by Mr. Biddulph, over and above what he obtains to complete the Establishment, will not fall within the Terms of his Contract, it will be proper that some Gratuity should be given to the Contractor for his Agency in the Business, the Amount of which may be determined when his Accounts, attested upon Honor, are given in, as we cannot be too provident in keeping our Cavalry on the Coast complete. I think that Colonel Martine, at Lucknow, and Lieutenant Turner, at the Presidency, may be employed with great Utility in procuring serviceable Horses, to replace those which the Regiments on the Coast must have lost by the late fatiguing Operations; and I hope, by their Means, with the Assistance of the Vizier and his Ministers, to obtain to the Extent of 400 or 500. The Means of conveying the Men and Horses of the 1st Regiment of Cavalry, the spare Horses, and the Bullocks to the Coast, is the next Point to be explained; and this, upon Enquiry, I find is to be done, not only with Ease, but, I trust also, at a very moderate Expence by the Means of Donies, of which there are upwards of 150 now in this River. Their Tonnage I find is at present unoccupied, but any Knowledge acquired of the Intentions of Government would induce them to raise their Expectations and Demands for Freight very high; and I accordingly propose, in order to obviate that Consequence, that an active and zealous Agent may be employed to engage the Vessels in the first Instance, and to prepare them afterwards for the Reception of their Freight; I have found Mr. Cochrane not only intelligent upon the Subject, and apparently very capable of executing the Trust, but forward and willing also to render his Services, and as I really do not know a more eligible Person, I shall propose that he may be employed.

" Agreed to the several Propositions laid before the Board by the Governor General, and that his Lordship be authorized to give the necessary Orders for carrying them into Execution.

(Signed at the End of the Consultation)

" Fort William,
6th November 1790.

" Cornwallis,
Chas' Stuart,
Peter Speke,
Wm Cowper"

Read,

Read, the following Extract of a Consultation of the 24th November 1790, beginning at Page 443, of the same Book.

“ Fort William, 24th November 1790.

“ At a Council; Present,
Earl Cornwallis, K. G. Governor General, President;
Peter Speke,
and
William Cooper, } Esquires.

Political Dept.
Wednesday.

The Honble. Charles Stuart indisposed.

“ The Governor General, and the Members of the Council, having had before them, since the last Meeting of the Board, a Draft of the Powers proposed to be delegated to the Governor General on his Lordship's Departure to the Coast, and the same having been approved and agreed to, ordered, that a Copy thereof be entered in this Place.

“ Whereas it has been resolved, that the Governor General shall proceed to Madras for the Purpose of directing in Person the Operations of the War against Tippoo Sultaun, and for the other Purposes expressed in his Minute of the 5th of November: And whereas for the said Purposes, as well as for others which may occur, and which may require the immediate Presence of the Governor General, it is essentially necessary that he should be invested with such full and entire Powers as are suitable to his Station, and may enable him to apply the whole Force of the Company with Energy for the Prosecution of the War, or to avail himself with Promptitude and Effect of any favourable Opportunity that may offer for negotiating and obtaining an advantageous and honourable Peace, and also to provide for or act upon any Exigencies which may arise and require his Direction, Interference, or Controul, whether with respect to our Allies, or the other Native Powers of Hindostan, or to the several Presidencies of Madras and Bombay, so that the Orders of the Governor General, issued by him during his Absence from this Presidency, may have the same Force and Effect, as if given by him in Council at Fort William: It is hereby resolved, that the Governor General shall be, and he is hereby invested with, the full Power and Authority of this Government in all other Matters which respect the Conduct and Prosecution of the present War with Tippoo Sultaun, or the negotiating or concluding Peace with him; and also with the full Power and Authority of this Government to form such Arrangements, and to conclude such several Engagements or Treaties with any of the Chiefs or Powers of Indostan as he shall judge expedient and necessary, whether for the Termination of the present War with Tippoo Sultaun, or for the Advancement of the Interests of the Honble. Company, or for the strict and permanent Establishment and Confirmation of the Alliances which do at present subsist, or which he shall judge it necessary to form with the said Chiefs and Powers respectively: And it is hereby declared, that all such Acts and Orders, and all such Engagements and Treaties made as aforesaid, shall be binding on the Governor General in Council in the same Manner and as effectually as if they had been passed and done by the special and immediate Concurrence and actual Sanction of the Governor General in Council assembled. Given in Fort William under the Seal of the Honble. Company, and under the Hands of the Governor General and Members of the Council, this Third Day of December, in the Year of our Lord 1790.

Powers delegated by the Board to the Governor General on his Lordship's proceeding to the Coast.
No. 14

(Signed at the End of the Consultation)

“ Cha' Stuart,
Peter Speke,
W^m Cowper.”

Read, from Book 525, the following Extract of a Consultation of the 3d December 1790, beginning at Page 149 of the same Book.

“ Fort William, 3d December, 1790.

“ At a Council; Present,
Earl Cornwallis, K. G. Governor General, President;
Peter Speke
and
William Cowper, } Esquires.

Political Dept.
Friday.

The Honble. Charles Stuart indisposed.

“ The Draft of the Powers agreed by the Board to be delegated to Lord Cornwallis, as recorded on the Proceedings of the 24th ultimo, having been copied fair, they are now executed by the Governor General and Members of the Government.

“ Agreed that the following Letter be written to Fort St. George and Bombay.

“ To the Honble. Major General Abercromby, Governor in Council at Bombay?

No. 1. B.
To Fort St.
George and
Bombay.

“ Honble. Sir,

“ We have already had the Honour of informing you of Lord Cornwallis's Intention to proceed to the Coast of Coromandel, and we now transmit to you a Copy of a Paper which contains the Powers given to his Lordship by this Government.

“ Fort William,
3d Dec. 1790.

We have the Honour to be,
&c. &c. &c.”

The same,

“ To the Hon. the Governor General in Council at Fort St. George.

No. 2. A.
To the Foreign
Settlements.

“ Lord Cornwallis's Intention to proceed to the Coast is notified to the Foreign Settlements in the following Letters :

“ To the Honble. Isaac Titsingh, Esquire, Director, &c. and Council at Chensurah.

Foreign Department.

“ Honble. Sir,

“ It being my Intention to proceed immediately to the Coast for the Purpose of taking on myself the Conduct of the War in which we are engaged with Tippoo ; I beg Leave to communicate this Circumstance to you.

“ At the same Time I do myself the Pleasure of acquainting you, that I am well assured that, during my Absence, you will find no Alteration in the Dispositions of this Government to continue the Harmony and good Understanding which has so long subsisted between us.

“ Fort William,
3d Dec. 1790.

I have the Honour, &c.”

The same to the Honble. Colonel Bie, Governor, &c. and Council at Fredericknagore.”

No. 3. B.

“ To Mr. Mottet, Agent on the Part of the French Nation in Bengal.

“ Sir,

“ It being my Intention to proceed immediately to the Coast for the Purpose of taking in Person the Conduct of the War in which we are engaged with Tippoo ; I beg Leave to communicate the same to you, and to acquaint you that I am well assured that, during my Absence, you will find no Alteration in the Dispositions of this Government to shew every Attention to the Interest of the French Nation in Bengal.

“ Fort William,
3d Dec. 1790.

I have the Honour,
&c. &c. &c.”

“ The Governor General delivers in the following Minute.

No. 3. Minute from the Governor General.

“ Minute recorded by the Governor General on the 3d of December 1790.

“ All material preparatory Arrangements being now nearly compleated, it is my Intention to proceed on the 5th Instant in the Yatch, to embark at Diamond Harbour on board the Vestal Frigate for Madrafs.

* Sic in Orig.

“ I trust that an Honourable Termination of the War in which we are now engaged, will, before a long Period elapses, admit of my returning to the Duties of my Station in Bengal ; but I cannot forbear to avail myself of this Opportunity of expressing the Satisfaction that I feel, of knowing that the Management of the public Affairs will, during my Absence, devolve upon Colleagues in Government, for whose Principles and public Spirit I have the highest Respect, and of repeating my strongest Sense of the manly and liberal Sentiments, by such * they have been uniformly actuated since the Infraction of the Treaty by Tippoo Sultraun, in adopting and supporting every Measure that has appeared to be calculated to vindicate and maintain the Honour and Interests of the Company, and of the British nation.

† Sic in Orig.

After the Apprehensions which I entertained for Mr. Stuart's Life during the late Crisis of his dangerous Illness, I feel some Consolation for his Absence this Day, from the reasonable Prospect, which his present Situation affords, that his Health will soon be completely re-established ; but I cannot avoid regretting, that he is still unable to receive my Assurances in Person, that from my Knowledge of the Integrity of his Principles, joined to the Advantage of the † of the Experience which he has acquired in conducting the Business of this Country, I consider his Recovery at this Juncture, as it will fall to his Lot to take the principle Lead in it, to have been an Object of no less Importance to the public Interests, than it has been a Source of Joy to his private Friends ; and I have a particular Satisfaction in feeling confident that no Exertions will be wanting on his Part of Support ‡, and execute the general Principles and Regulations which have been established for carrying on the Business in the different Departments of Government, and for promoting in every other Respect the public Prosperity.

‡ Sic in Orig.

“ The

" The flattering Marks of personal Confidence and Friendship, which I have constantly experienced both in my public and private Capacity, from the Members of the Board, have made the most lasting Impression on my Mind, and claim my warmest Acknowledgments. I shall always think it fortunate when Opportunities may offer to enable me to give convincing Proofs of my Regard and Esteem for them; and they may be assured that they shall have no Reason to alter the favourable Opinion which they have hitherto expressed of me, by any Part of my future Conduct.

(Signed at the End of the Consultation)

" Cha^s Stuart,
Peter Speke,
W^m Cowper."

Read, from Book 587, the following Extract of a Letter from the Court of Directors to the Governor General and Council at Fort William, dated the 6th May 1791.

" Our Governor General and Council at Fort William, in Bengal.

" Par. 26. We have already advised you of the Receipt of the several Letters from our Governor General Earl Cornwallis, in the Course of the past Season. Although we have not deemed it necessary to enter into a regular Reply to these Letters, the Subjects upon which they treat being connected with those contained in the General Advices, yet we cannot close our final Dispatches without expressing the high Sense we entertain of his Lordship's Zeal for the Service, in having waved all personal Considerations, by determining, after the Commencement of Hostilities, to remain in his Station so long as he might think that his Presence in India would essentially contribute to the Security of the Company's Possessions, or materially promote the general Prosperity of their Affairs.

Bengal Pub. Dept.
Lord Cornwallis, 7th April 1791.

Correspondence, 8th April 1791.

Court ditto.
Board, 22d April.

" 27. We have received your several Advices by the Princess Amelia, and likewise a Letter from Lord Cornwallis of the 17th November last. As the Remainder of our freighted Ships of the present Season are upon the Eve of their Departure, and as we have already written very fully upon every material Point, it is not our Intention to enter at present into a particular Reply to those Advices. We are extremely concerned at the Delay that is likely to be occasioned in the Movements of the Troops under the Command of General Meadows, by the late Irruption of Tippoo Sultaun into the Coimbatore Country. We trust, that such a Plan of Operations will be arranged between the Commanders of the several Divisions and with our Allies, as that the War will be brought to a speedy, successful, and honourable Conclusion.

Bengal Pub. Department.
Correspondence, 27th April 1791.

Court ditto.

Board 2d May.

• See in Orig.

" London, the 6th May 1791.

" We are your affectionate Friends,

" W. Elphinston,
W^m Money,
Abram Roberts,
Tho^s Cheap,
John Travers,
Tho^s T. Metcalfe,
Jno. Townson,
Simon Frazer,
R. Thornton,

T. Smith Burges,
F. Baring,
T. Manhip,
John Roberts,
George Tatem,
Lionel Darell,
Tho^s Parry,
Stepⁿ Williams,
Paul Le Mesurier."

Read, from the same Book, the following Extract of a Letter from the Court of Directors to the Governor General and Council; dated the 4th August 1791.

" Our Governor General and Council at Fort William, in Bengal.

" 33. Herewith you will receive an Act, passed in the last Session of Parliament, entitled,
• An Act for establishing and confirming a certain Resolution or Order of the Governor General
• in Council of Fort William in Bengal, and all Acts done by virtue thereof; and for granting
• further Powers to the said Governor General during his Residence on the Coasts of Coromandel
• and Malabar."

Bengal Pub. Dept.
Circular.

(Signed at the End of the Letter)

" T. Smith Burges,
F. Baring,
Jno^s Roberts,
Jno^s Hunter,
Geo. Tatem,
Tho^s Parry,
W. Elphinston,
Hugh Inglis,
Paul Le Mesurier,
John Townson,
Tho^s Cheap,

W. Bensley,
Simon Frazer,
W^m Money,
Step. Williams,
J. Manhip,
Lionel Darell,
John Travers,
Cha^s Mills,
Jacob Bosanquet,
Abr^m Roberts."

Approved in
Court, 21st
July 1791.
Board 23d.

The

The Counsel for the Defendant desired the Act of Parliament, mentioned in the preceding Extract, might be read.

The same was read, as follows :

“ Anno Tricesimo primo Georgii III. Regis, Cap. XL.

“ An Act for establishing and confirming a certain Resolution or Order of the Governor General in Council of Fort William in Bengal, and all Acts done by virtue thereof; and for granting further Powers to the said Governor General, during his Residence on the Coast of Coromandel and Malabar.

“ Whereas, some Time in the Month of November One thousand Seven hundred and Ninety, the Right Honourable Charles Earl Cornwallis, Governor General of the Presidency of Fort William in Bengal, and the Council of Fort William aforesaid, did, by their Order or Act in Council, resolve, that the said Governor General should be invested with the full Power and Authority of the said Government of Fort William, in all Matters which respected the Conduct and Prosecution of the present War with Tippoo Sultaun, or the negotiating and concluding Peace with him; and also with the full Power and Authority of the said Government to form such Arrangements, and to conclude such several Engagements or Treaties with any of the Chiefs or Powers in India, as he should judge expedient and necessary for the Termination of the present War with Tippoo Sultaun, or for the Advancement of the Interests of the United Company of Merchants of England trading to the East Indies, or for the strict and permanent Establishment and Confirmation of the Alliances which did then subsist, or which he should judge it necessary to form, with the said Chiefs and Powers respectively; thereby declaring, that all such Acts and Orders, and all such Engagements and Treaties made as aforesaid, should be binding on the said Governor General and Council, in the same Manner, and as effectually, as if the same had been passed and done by the special and immediate Concurrence and actual Sanction of the Governor General in Council assembled: And whereas it is expedient that the said Act or Order in Council, and all Acts done or to be done by the said Governor General by virtue thereof, should be established and confirmed, and that the said Governor General should also be invested with such further Powers as may enable him to act with Promptitude and Effect, as Opportunities or Exigencies may in his Judgment appear to require, during the Continuance of the present War, and during such Time as the said Charles Earl Cornwallis shall be resident out of the Presidency of Fort William in Bengal, for the Purposes of commanding the Forces engaged in the said War, or of negotiating any Treaty of Peace, or other Treaty, with any of the Princes or Powers in India; be it therefore enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That the said Act or Order in Council, and the said Powers or Authorities thereby given or therein contained, shall be, and the same are hereby established, ratified, and confirmed, and shall be held, deemed, and taken, from the Date of making thereof, to have been, and to be valid and effectual in the Law; and that all such Acts, Orders, and Directions, Matters and Things, and all Engagements and Treaties which have been or shall be made or done by the said Governor General, by virtue or in pursuance of the said Act or Order in Council, and the Powers therein contained, shall be binding and valid, in like Manner, and as effectually, to all Intents and Purposes, as if the same had been passed, made, or done by the said Governor General in Council at Fort William aforesaid.

“ II. And be it further enacted by the Authority aforesaid, That during the Time that the said Charles Earl Cornwallis shall continue to be Governor General as aforesaid, and shall be resident in the Presidencies of Fort Saint George or Bombay, or shall be resident in any other Part of India, either in the Execution of his Duty as Commander in Chief of the Forces, or for the Purpose of negotiating any Treaty of Peace, or other Treaty, consequent upon the said War, with any of the Princes or Powers in India, it shall and may be lawful for him the said Charles Earl Cornwallis, for and on the Behalf of the said Company, in his own Name, and by his own proper Authority, finally to conclude such Engagements, Treaties, and Agreements, with any of the Chiefs or Powers in India, as the said Earl shall judge expedient or necessary, either for the more vigorous and effectual Prosecution of the said War, or for the Termination thereof, or otherwise for the Security or Advancement of the Rights and Interests of the said Company, or for the more permanent Establishment and Confirmation of the Alliances which already subsist, or which the said Charles Earl Cornwallis shall judge it necessary to form with the said Chiefs and Powers respectively; and to issue and enforce such Orders, Directions, and Instructions to the respective Governors and Councils of the Presidencies of Fort Saint George and Bombay respectively, and to make, do, execute, conclude, and perform, all and every such further and other Acts, Deeds, Matters, and Things whatever, relating to or concerning the Rights and Interests of the said Company or their Allies in India, as the said Governor General might now make, give, do, execute, or perform, in Council assembled at Fort William aforesaid; and that all Engagements, Treaties, Agreements, Orders, Directions, Instructions, Acts, Deeds, Matters, and Things whatsoever, as well such as have been since the Twenty-first Day of November One thousand Seven hundred and Ninety, as such as shall, during the Continuance of the said War, be hereafter negotiated, concluded, made, done, transacted, issued, or executed by the said Earl Cornwallis, in and by his

own sole Name and Authority, touching or concerning the Matters aforesaid, shall be binding, valid, and effectual, and that all and every Person or Persons shall pay due Obedience thereto, in like Manner, to all Intents, Constructions, and Purposes, as if the same had been issued, negotiated, concluded, made, done, transacted, or executed, respectively, by the Governor General in Council at Fort William, or by the President or Governor in Council at Fort William, or by the President or Governor in Council of Fort Saint George, or by the President or Governor in Council of Bombay, under the Order or Direction of the Governor General in Council of Fort William aforesaid respectively; any Law or Statute to the contrary thereof in any wise notwithstanding.

" III. And be it further enacted by the Authority aforesaid, That if the said Charles Earl Cornwallis shall, during the Time aforesaid, judge it necessary to issue any Orders or Directions to any of the Servants of the said United Company, acting under the Authority of the respective Presidencies aforesaid, without previously communicating such Orders and Directions to the respective Governors and Councils of the several Presidencies under the Authority of which such Servants shall be acting, such Servants respectively shall, and they are hereby required to obey the same; and the said Charles Earl Cornwallis shall, and he is hereby required to transmit, by the first Opportunity, to the Governors and Councils of the respective Presidencies within which such Orders and Directions are to be executed, Copies of all such Orders and Directions respectively as shall be so given, together with the Reasons, set forth in Writing, which to him made it appear necessary to issue such Orders and Directions without such Communication as aforesaid, and shall also in like Manner transmit other Copies of the same, with the Reasons aforesaid, to the Court of Directors of the said United Company.

" IV. And be it further enacted by the Authority aforesaid, That all and every the Powers hereby given to the said Charles Earl Cornwallis shall have Continuance until Three Months after the Termination of the said War, or until the Return of the said Charles Earl Cornwallis to Fort William aforesaid, or until his Departure from India for Europe.

" V. And be it further enacted by the Authority aforesaid, That all and every the Powers by this Act given to the said Charles Earl Cornwallis, shall and may, on the Death, Resignation, Recall, or Departure from India, of the said Charles Earl Cornwallis, be exercised by Major General William Meadows, in case he should succeed to the said Offices of Governor General, and Commander in Chief of all the Company's Forces in India, or by any other Person who shall succeed to the said Offices of Governor General, and Commander in Chief, in like Manner, and under the like Restrictions, as the same may be exercised by the said Charles Earl Cornwallis by virtue of this Act.

" VI. Provided always, and it is hereby enacted, That it shall and may be lawful for the Court of Directors of the United Company of Merchants trading to the East Indies, with the Approbation of the Commissioners for the Affairs of India, to revoke and determine by an Instrument under their Common Seal, the said Powers hereby given to the said Charles Earl Cornwallis, at any Time when they shall judge it expedient and necessary, and that the same shall be revoked and determined accordingly, on the Receipt of such Instrument as aforesaid by the said Charles Earl Cornwallis, or by such Person as shall be appointed to or shall succeed the said Charles Earl Cornwallis, in the said Offices of Governor General, and Commander in Chief."

The Council for the Defendant stated they would next proceed to shew certain Orders from the Court of Directors subsequent to the Year 1702, relative to the local Residence of the Members of Council at Calcutta.

Read, from Book 549, already delivered in, the following Extract of a Letter from the Court of Directors, to the President and Council at Fort William, dated the 24th of January 1753, beginning at Page 542 of the same Book :

" Our President and Council at Fort William, in Bengal.

" Par. 62. It has been a Custom for the second in Council to be always Chief of Cossimbuzar, this is not to be made a constant Rule, and we direct that for the future any one of the Council who has the best Abilities for that Post be appointed, without Regard to Seniority, excepting however the Major and Mr. Holwell, whose Stations are fixed.

" 63. You are to observe it as a standing Order for the future, that no Person in Council do continue Chief of any subordinate Factory, excepting Cossimbuzar, and therefore as soon as any Person is appointed of Council, he is immediately to resign his Chiefship, and give his constant Attendance at Fort William.

" London,
24th Jan. 1753."

" William Baker, Chairman.
Rich^d Chauncy, Deputy.

Cha ^s Cutts,	W ^m Moffett,
Peter Du Cane,	Christ ^r Burrow,
Abel Fonnereau,	John Payne,
Cha ^s Gough,	J. Winter,
Tho ^s Rous,	Will ^m Braund,
Timothy Tullie,	J. Raymond,
Whichcott Turner,	Nich ^l Linwood,
Stephen Law,	P. Godfrey,
R. Rootle,	Tho ^s Phipps,
Henry Plant,	John Hope,

W^m Willey."

Read, from Book 420, already delivered in, the following Extract of a Letter from the Court of Directors, to the President and Council at Fort William in Bengal, dated 25th of March 1757, beginning at Page 274 of the same Book.

“ Our President and Council at Fort William in Bengal.

“ Par. 98. When the Directions were given in our general Letter of the 24th of January, 1753, that no Person who by his Standing was of Council at Fort William, should continue Chief of any subordinate Settlement, and for shifting the junior Servants from one Settlement to another, we thought that they were Measures that would answer very good Purposes, but we are since well satisfied that many Inconveniencies will flow from a Continuance of those Regulations; we do therefore hereby repeal them, and we do henceforward leave it to you to employ our Covenant Servants in such Places, for such Times, and in general in such a Manner, as according to the best of your Judgment will be most for the Interest of the Company, having a strict Regard to their Qualifications for their present Employ, and their being in the Way of gaining Experience, to fill the superior Stations they may gradually advance to with Ability and Reputation. You are to observe however, that this general Direction is not intended to break into the equitable Rule of promoting our Servants according to Seniority in the Service, when there is no reasonable Objection to the contrary.

(Signed at the End)

“ London,
25th March 1757.

John Dorian,
Stephen Law,
W^m Barwell,
Charles Chambers,
John Manship,
H^r Crabb Boulton,
N. Newnham, jun.
J. Raymond.

“ Peter Godfrey, Chairman.
John Payne, Deputy.

R. Drake,
W. Impey,
Christ^r Burrow,
M. Western,
Cha^r Gough,
Tho^r Rous,
Lau^r Sullivan,
Hen^r Savage.”

Read, from Book 2, already delivered in, the following Extract of a Letter from the Court of Directors, to the President and Select Committee at Fort William, dated the 21st November 1766, beginning at Page 297 of the same Book.

“ Our President and Select Committee at Fort William in Bengal.

“ 37. If the Presence of any of the Members of the Select Committee can at any Time be dispensed with, we have no Objection to their being employed in the Chiefships of such subordinate Factories as their Rank may entitle them to, provided it shall appear to you compatible with the Company's Interests, and that there shall at all Times, be three Members on the Spot.

“ We are
Your loving Friends,

“ London,
21st November 1766.

“ Geo^d Dudley,
Tho^r Rous,
Rob^t Jones,
Cha^r Cutts,
Fred^t Pigou,
Hen^r Savage,
J. Purling,
John Harrison,
Christ^r Baren,
Tho^r Saunders,
Jos^t Du Pre,

J. Crefwicke,
E. H. Cruttenden,
George Cuming,
John Roberts,
J. Pardoe,
Peter Du Cane, jun.
Luke Scrafton,
Charles Chambers,
F. W. Barrington,
Edw^d Wheeler,
George Wombwell.”

Read, the following Extract of a Letter from the Court of Directors, to the President and Council at Fort William, dated the 20th November 1767, beginning at Page 582 of the same Book.

“ Our President and Council at Fort William in Bengal.

“ Par. 107. Upon the Amount of the said Nett Revenues, you are hereby indulged to draw a Commission of Two and an Half per Cent.

“ 108. The Sum, which shall be the Produce of the said 2½ % Cent. is to be divided into One hundred Parts or Shares, which Parts or Shares are to be appropriated in the following Manner, viz^t.

" The Governor is to have	— — — — —	Shares.
The Second in Council	— — — — —	3 ¹
The Rest of the Select Committee, not having a Chiefship, each	— — — — —	4 ¹
The Rest of the Council, not having a Chiefship, each	— — — — —	3 ¹
		1 ¹

" 109. For it is our Meaning and Directions that the Chiefs of Cossimbuzar, Patna, Dacca, and Chittagong, are not to have any Proportion of the said Shares.

" 110. Being convinced that the Employ^s * of Resident at the Durbar, and Chief of Cossimbuzar cannot, for the Importance and Extent of the Business of each Department, be properly executed by one Person; we therefore direct, that they be from this Time forward separated, and that some other Member of the Council be appointed to the said Chiefship. We do not make this Regulation from any Failure of Attention on the Part of Mr. Sykes, with whose Conduct we are perfectly satisfied.

(Signed at the End)

" We are your loving Friends,

" London,
20th November 1767,
Bengal Select.

" H^r Crabb Boulton,
John Stephenson,
T. Creswicke,
Edw^d Wheler,
G. Colebroke,
Ja^s Cockburn,
Ben. Booth,
E. H. Crutchenden,
Geo. Wombwell,
William Snell,
Tho^s Rous,

Tho^s Saunders,
Geo. Dudley,
Pere Cuff,
Hen^y Savage,
Rob. Jones,
John Manship,
F. W. Barrington,
Luke Scrafton,
John Roberts,
J. Pardoe."

Read, from Book 173, already delivered in, the following Extract of a Letter from the Court of Directors to the President and Council at Fort William, dated 23d March 1770, beginning at Page 301 of the same Book.

" Our President and Council at Fort William in Bengal.

179. " Having taken into our most serious Consideration the Magnitude and Importance of the Management of our Affairs, depending on your Civil Establishment; and that the Administration thereof may be conducted to the greatest Advantage of the Company and the Prosperity of all under their Protection; we have fully instructed the Commissioners to carry the following Resolutions into Execution: That with the Governor, and exclusive of the military Commander, the Council of Bengal shall consist of Nine Members and no more: That none of the Council be permitted to act as Chiefs of any of the subordinate Factories, but shall all constantly reside at Calcutta; the Resident at the Durbar, if that Office shall be filled by a Counsellor, and the military Commander excepted; that no Member of the Council shall have any Employ annexed to that Station, but that all Offices be executed by the senior Servants, not Members of the Board: And that the said Council be formed into proper Committees, that the Controul, Superintendency, and Direction of the Company's Affairs at the Presidency and Subordinates, may be faithfully and impartially transacted to their greatest Benefit and Advantage: You must therefore comply with such Instructions and Directions as they shall think proper to give relating thereto, until you shall receive our Orders thereon.

" We are,

" London,
23d March 1770.

Your loving Friends,

" Ben. Booth,
George Cuming,
Jn^r Woodhouse,
L. Sullivan,
W^m James,
Hen^y Fletcher,
Geo. Dempster,
Cha^s Boddam,
W. G. Freeman,
Rob^t Gregory,

G. Colebroke,
P. Cuff,
H^r Crabb Boulton,
T. Purling,
Fred^k Pigou,
John Harrison,
R^d Bofanquet,
Daniel Weir,
William Snell,
Peter Du Cane, junior."

Read,

Read, from Book 176, already delivered in, the following Extract of a Letter from the Court of Directors, to the President and Council at Fort William in Bengal, dated the 28th of August 1771, beginning at Page 111 of the same Book.

“ Our President and Council at Fort William, in Bengal.

“ Par. 27. Having, from various important Considerations, thought it proper to recall the Members of Council from your several subordinate Factories, and to restrict their Residence to Calcutta, we signified our Pleasure in this Respect in our Letter to our Commissioners, dated the 23d of March 1770, and having authorized and directed you to open our several Letters under their Address, it is unnecessary for us to recapitulate the Instructions contained therein; we however take this Occasion to explain ourselves more fully on that Part of them which directs, that on the Removal of the Members of your Board from the Chiefships of the several Subordinates, those Stations should be filled by our Servants below Council.

(Signed at the End of the Letter)

“ Ja' Michie,	J. Purling,
Dan' Wier,	Geo. Dudley,
George Cuming,	Hen' Savage,
Rich ^d Bolanquet,	Fred ^x Pigou,
Edw ^d Wheler,	L. Sullivan,
T. Hurlock,	J. Manship,
John Roberts,	Ja. Cockburn,
Joshua Smith,	W ^m James,
John Harrison,	Peter Du Cane, Jun ^r .”

Read, from Book 176, already delivered in, the following Extract of a Letter from the Court of Directors, to the President and Council at Fort William, dated 24th November 1772, beginning at Page 429 of the same Book.

“ Our President and Council at Fort William, in Bengal.

“ 9. Having revised and maturely considered of the Orders given in the 179th Paragraph of our Letter of the 23d March 1770, for confining the Residence of the Members of the Council to the Seat of the Presidency, and not suffering any of the Board, the Resident of the Durbar excepted, to act as Chiefs of any of the subordinate Factories; and finding that notwithstanding our well-intentioned Views, expressed at the Time of establishing the above mentioned Dispositions, that they have not been attended with those salutary Effects we then hoped they would produce, we can no longer desist from revoking, and do hereby revoke the aforesaid Orders, confiding that thereby the Regularity of the Government in Bengal will be greatly promoted, and the intolerable Monopolies carried on in the Country, so oppressive to the Inhabitants, and prejudicial to our Revenues and Investment, particularly of Raw Silk, will be totally extirpated.

“ London,
24th November 1772.

“ We are,
Your loving Friends,

“ Tho ^s Dethick,	G. Colebrooke,
R ^d Bolanquet,	Law. Sullivan,
Henry Fletcher,	H ^r Crabb Boulton,
T. Hurlock,	Joshua Smith,
George Cuming,	Hen ^r Savage,
Tho ^s Rumbold,	Edw ^d Wheler,
John Roberts,	W. Devaynes,
Jno. Michie,	Ja. Cockburn,
Rob ^t Gregory,	Pet. Lafcelles,
Ben. Booth,	Cha ^s Boddam,
George Dempster,	Peter Du Cane, Jun ^r ,”
	George Tatem.”

The Counsel for the Defendant informed the House, They would next proceed to the only remaining Subject of Evidence prior to the Governor General's going up to Banares, namely, the Distress of Major Camac's Detachment; in Proof of which they would produce a private Letter, written by Major Camac to the Defendant, and requested that Major Scott might be called in.

MAJOR SCOTT was accordingly again called in, and examined as follows :

Q. Whether you have seen Major Camac write, and are acquainted with his Hand Writing?
A. I have.

Then

Then a Paper was shewn the Witness, and he was asked,

Q. Is that his Hand Writing?

A. Yes, I believe it is: The Inclosure is not—the Inclosure is a different Hand.

The Witness was directed to withdraw.

Then the Paper and Inclosures were delivered in, and the Counsel for the Defendant desired the Paper might be read.

The same was read as follows:

“ Dear Sir,

“ Camp at Salbye, 1st November 1780.

“ I arrived in Camp the 28th from Devyur, and immediately gave Orders for marching on to the other Detachment; but hearing of their very great Distress for Provision, and the Cause of it, Want of Money, I was obliged to countermand it, in order to afford them every Assistance in my Power. From the enclosed Extracts from Captain Johnson and Mr. Hicks, you will see the State of Matters with them. They are now advanced into the Hills beyond Narwar, and though it is only 12 Cofs, from the Badness of the Road, they have Three Days March to Sipparce. From the utter Want of Money in Camp, and the Baniahs having trusted the Sepoys till they have not an Annah left, it is impossible to carry a single Day's Provision with them. The Sepoys have not a Rupee to pay for Grain, being Three Months in Arrears, nor can the Baniahs supply them longer, and both are deserting very fast.—In this Situation, it was impossible to advance without Three Days Provision; and it would be Destruction to return. But their Difficulties are strongly painted in the Enclosed, wherein you may perceive it was debated, and resolved to return, if my Letter had not just then arrived. In these untoward Circumstances you may conceive my State of Mind; every Exertion was made use of to raise Cash; every Resource and Expedient tried.—To add to my Misery, the Money which I had fed my Hopes, and was in hourly Expectation of from Benares, came the Day before only in Part, to the Amount of 2 Lack and $\frac{1}{2}$ in Bills, on Gohud, at 52 Days after Date; so that there was 40 and odd Days remaining of it. This had been ordered the * 12th September by the Board, and tho' so early as the Middle of that Month, I had told you my Distress, yet I had managed one Way or other, and never plagued you with my Difficulties in this Respect, feeding my Hopes with this expected Supply.—They were all dashed by this News, and had no Resource but in the Rannee, or endeavouring to get them discounted.—I instantly dispatched a Bill for a Lack of Rupees to Gohud, to raise Money on it, and wrote the Ranna in the most pressing Terms, who sent me 12,000 Rupees.—I sent off the Bill for a Lack and $\frac{1}{2}$ to Furruckabad, but could get no Money either here or at Gohud. To all these Embarrassments, the Desertion was very great, from the Apprehensions which were conceived that we were going to Bombay. No less than 150 ran off in one Night from Captain Brown's Battalion; all the Men of Property of the Province of Bahar, who had entered into the Service for their Protection, which their Battalion, being at a provincial Station, could afford to the Lands and Families. I have got all their Names and Abodes, and sent them to the Commander in Chief, and they may be easily found out. Their Family, who afford them Protection, ought to be made to suffer, which will deter others from a Practice so alarming and dangerous. By this, their Friends will not receive them again in such a Predicament. 'Tis probable they have again got Service in Captain Crawford's or some other stationary Corps, and will do the same again if tried. In Consequence of this, I have wrote to Colonels Morgan and Muir for 500 Drafts, Four Fifths of which will go to the Light Infantry Corps, and the Rest to the other Five Battalions.

* See in Orig.

(Signed at the End)

“ J. Camac.”

The Counsel for the Defendant desired the Enclosures in the Letter above-mentioned might be read.

The Managers for the Commons objected to the same being read, and were heard in Support of their Objection.

The Counsel for the Defendant being heard in answer to the same,

The said Enclosures were ordered to be read, and are as follow:

“ Extracts of a Letter from Captain Gabriel Johnson to Major Camac, dated 3 Cofs from Narwar, 27th October 1780.

“ I Yesterday wrote you, also the Night before, from Narwar, acquainting you with our Situation, and the Likelihood there was of our being without Provisions, which I saw no Probability of obtaining from the Rajah, and that if we did not get a Supply here sufficient to carry us to Sipparce, which is between 10 and 12 Cofs off, through Rocks and Hills, where we cannot meet with the least Assistance, but * it would be impossible to proceed further; all we have been able to get from the Rajah's People, since we came into this Neighbourhood, is only Six or Eight Bullock Loads.—This has made Grain so very scarce this Evening, that we shall be distressed To-morrow. I gave out Orders for March To-morrow, but these Circumstances have obliged me to countermand it this Night, till I hear from you, and till you order Grain in from the Rajah's Country.

* See in Orig.

If I was not in the open Country, I should not mind it so much; but here there is no Possibility of sending out a Party, or finding a Village."

" Extract of a Letter from Captain Johnson to Major Camac, dated Camp, Two o'Clock, 28th October, 1780.

" I wrote you the 25th, at Night, from Narwar, and every Day since, acquainting you with our Situation, and of the Want we were likely to be in for Provisions, which is now so scarce, that we have not in the whole Camp sufficient for one Battalion, nor have we Money to buy it with. The Rajah says, he has not any to give us; the Banyans have not Money no more than the People. I do not know what may be the Consequences of this Day; but I fear worse To-morrow. I shall be obliged to march back, and recross the Sind, if I have not a Supply this Night. If the Banyans had any Money to have purchased Provisions in the open Country, this Distress would not have fallen on us; but they have not. Our People are deserting very fast, both Sepoys and Buzar People. Therewith send a Note of Captain Adderley's on that Subject. I have just heard, there is not in the whole Buzar more than 40 Maunds of every Kind of Grain put together, so that we are in the most distressed Situation that People can be in. I must therefore march back To-morrow to the Banks of the Sind, and there I shall be as bad off as here if Supplies are not sent us; indeed, if it does not come before. Captain Clode and Maclary have been with me just now, and tell me the same almost as I tell you."

" Extracts of a Letter from the Same to Major Camac, dated Camp, 11 o'Clock at Night, 29th October, 1780.

" I was honoured with your Letter of Yesterday, at eight o'Clock this Evening, just as I was consulting about returning to the Sind; but your Letter has determined me to wait a Day or two longer, in hopes of the wished-for Supply of Provisions. To advance without it is impossible; the Country will not supply us without Money to purchase it; and Money we have none among us, which occasions the greatest Discontent all throughout the Camp. I have asked the Opinion of the different Officers commanding Corps, all of whom were with me when your Letter came to Hand, and they gave it as their Opinion, that I should not advance till I was supplied with at least three Days Provisions to carry us to Sipparee; that if I did not *, I must take upon myself the Consequences, for that Numbers of our People would leave us, and that perhaps something worse might happen."

" Extract of a Letter from Lieutenant John Hicks to Major Camac, dated Camp, 29th October, 1780.

" I find it is the Opinion of the Officers commanding Corps, that we cannot proceed on at present, on Account of the Scarcity of Provisions. I cannot help being apprehensive, that a Detachment, setting forward three Months in Arrears, can be attended with any great Probability of Success;—it is impossible that you can ever hear or know half of the Mourning in Camp. I do not mean amongst the Officers, for I am well persuaded that they would readily go much longer if the Sepoys were paid up.

" If the Banyans had Money it would be better; but they have expended the little Cash they had, and there being * no Circulation in the Buzar."

The Counsel for the Defendant stated, That they should next produce other Evidence of the Situation of the Company at this Period, when the Rajah Cheit Sing was withholding his Assistance. And first, as to the Distress of the Company antecedent to the Invasion of Hyder Ally in the Year 1780.

Read, from Book 26, already delivered in, the following Extract of a Consultation of the 19th June 1780, beginning at Page 469 of the same Book.

" Fort William, 19th June 1780.

See p. 10 p.
610. day

" At a Council; Present,
The Honble. Warren Hastings Esquire, Governor General, President;
Philip Francis, } Esquires.
Edward Wheler, }

Lieutenant General Sir Eyre Coote, absent on a Visit to the different Stations of the Army.

" 5th, Because it appears to us, that the State of our Treasury is not in any Degree equal to the existing and increasing Demands, which press upon the Government. The apparent Balance on Monday last, including the Deposit in the New Fort (without which we should consider ourselves as totally unprovided for Measures of immediate Defence, if such should become necessary) amounted

- amounted to no more than, current Rupees, 42,09,453. Deduct the Deposit in the New Fort, and let the Account be stated as it will then stand, and as it ought to stand :

Cr.	C. R.	Dr.	C. R.
Remainder after deducting the Sum in the New Fort	} 6,13,453	Deposits of private Property.	} 14,87,958
Balance or actual Debt against the Trea- sury		Amount of Orders unpaid — —	
	} 31,35,453	Bills drawn by General Goddard	} 20,86,949
		unpaid — —	
	37,48,906		37,48,906

This View of our Situation undoubtedly leads to other important Conclusions ; that, to which we mean to confine it at present is, that we are in no Condition to undertake new Expences ; nor, if our Treasury were better supplied than it is, should we think it prudent to expose ourselves to the Demands of another Expedition, in the Plan of which we see no essential Difference from that which still exists under General Goddard (a).

(Signed at the End of the Consultation)

“ Warren Hastings,
P. Francis,
Edw^d Wheeler.”

The Counsel for the Defendant stated, That under the above Head of Evidence they should next refer the House to the Minute of Mr. Francis, of 26th September 1780, already given in Evidence on another Subject, in the preceding Parts of this Day's Proceedings (b).

Read, from Book 30, already delivered in, the following Extract of a Consultation of the 21st August 1780, beginning at Page 5 of the same Book.

“ Fort William, 21st August 1780.

“ At a Council ; Present,

The Honble. Warren Hastings, Governor General, President ;
and

Edward Wheeler, Esq.

Mr. Francis indisposed.

Sir Eyre Coote absent on a Visit to the different Stations of the Army.

“ Gentlemen,

“ Our last Letter (of which we enclose a Duplicate), gave you Information of the Approach of Hyder Ally, with a large Army, towards our Frontiers. We now transmit two Papers of Intelligence, just received from the Nabob, by which you will learn, that he has actually detached Part of his Cavalry into the Carnatic, and is preparing to follow with his whole Army.

“ We are taking Measures for assembling our Troops in a proper Situation to oppose this Attack and defend the Country in the best Manner we are able, but the Alarm already occasioned by the report of an Invasion, and the Ravages which have been actually committed by Hyder's Horse, have driven the People from their Habitations, and put an entire Stop to the Tillage of the Ground.

“ Under these Circumstances it will be impossible for us to draw Resources from the Country, in any Degree equal to the Expences which this War must inevitably produce, and if we do not obtain a speedy Supply of Money from you, we see no Probability of our being able to act with Vigour and Effect, proportionable to the Exigency of our Situation.

“ If we can be assured of sufficient Means to carry on the War, we should propose an immediate and powerful Diversion on the Malabar Coast, where the Possessions of Hyder are more within the Reach of our Force, and might, by the Assistance of the Squadron, become an easy Conquest ; the principal Settlement belonging to Hyder on that Coast is Mangalore, to which we should first point our Attention. We are sensible however that these Operations will depend much upon the State of our Affairs with the Mahrattas, at least with respect to the Force to be employed against Hyder, for it would be highly imprudent in us to detach any Part of the Troops now remaining with us upon such distant Service ; and as you have the entire Direction of the Force on the other Side of India, we doubt not you will consider how it may be best applied to the Annoyance of this new Enemy. We have at Tillicherry a Detachment of Troops from this Coast, which might be of use, and which, if you think proper, we will direct to co-operate with the other Troops in any Plan you may adopt,

(a) See Appendix, N^o CCXXVIII, supra.

(b) Vide supra, Page 1522.

we shall only observe upon this Head, that the proper Time for commencing any Operation on the Malabar Coast will be in the Month of September or October, when the Monsoon will admit of the Squadron going round.

“ As the Company have never, within our Remembrance, experienced so wanton and unprovoked an Attack as that against which we are now called upon to defend them, we are confident the several Presidencies will unite Heart and Hand to humble and reduce, within proper Bounds, the Power which has thus dared them; and we rest assured that your Honble. Board will exert itself in a particular Manner on this Occasion, to support the Honour and Interests of the Company, and promote the Reputation which their Arms have hitherto acquired in the Wars of Hindostan.

“ We are, &c.

“ Fort St. George,
26th July, 1780.

(Signed) John Whitehill,
&c. Select Committee. (a)

(Signed at the End of the Consultation)

Warren Hastings,
Edw^d Wheler.”

Read, from Book 30, the following Extract of an Appendix to a Consultation of the 23d November 1780, beginning at Page 727, of the same Book.

“ Copy of a Letter from General Goddard, dated at Bombay, the 24th August 1780.” (b)

Read, a further Extract from the same Appendix to the same Consultation, beginning at Page 736, of the same Book, as follows :

“ I observe with real Concern and Disappointment, that the Distress for Money, which you so strongly represent, because my own cannot be inferior; and the Honble. Governor General and Council have depended upon the Resource of the new required Revenue, for the greatest Part of my Supply. I have been compelled for some Time past to draw Bills upon them at a considerable Loss, which nothing but the most urgent and extreme Necessity could justify, to provide for the mere Subsistence of the Troops; but even this Resource has proved inadequate, and the Army is greatly in Arrears. It is now no longer to be depended upon. I am firmly persuaded of your Readiness to afford me every Assistance in your Power, and in that Confidence, urged by the pressing and immediate Necessities of the Service, hope you will find it practicable to comply with my Request of appropriating the First Payment of the Revenues of the Country, dependent on Surat, which is paid in Advance, to the sole Use of the Army now under my Command.

“ I have the Honour to be,

Gentlemen,

Your most obedient humble Servant,

(Signed) “ William Goddard. (c)

“ A true Copy.

(Signed) “ Edward T. Croft, Secy.

(Signed at the End of the Consultation itself)

“ Warren Hastings,
Edw^d Wheler.”

Read, from the same Book, the following Extract of a Consultation of 23d November 1780, beginning at Page 701, of the same.

“ Fort William, the 23d November 1780.

“ At a Council; Present,

The Honourable Warren Hastings, Governor General, President;

Edward Wheler, Esquire.

Philip Francis, Esquire, indisposed.

Lieutenant General Sir Eyre Coote absent on Service at the Presidency of Fort St. George.

“ I shall, in pursuance of the Plan fixed upon, take the earliest Opportunity of putting the Troops from Surat in Motion, which, I apprehend, on Account of the uncommon Quantity of Rains that has fallen this Year, and still continues to fall, cannot possibly * be before the 1st October. I hope, however, there will be no Necessity of Delay after that Period; and, as I propose returning to Surat in a few Days, and the Army is already prepared to take the Field, no other Impediment, but the Inclemency of the Season, and the consequent Difficulty of the March,

(a) Vide Appendix, N^o CCXXXVII. (b) Vide Appendix, N^o CCXXXVIII. (c) Vide Appendix, *ibid.*

along the Coast from the Swelling of the numerous Rivers that empty themselves into the Sea from the Hills that are adjacent, can possibly occur to protract my Operations. I shall not fail to give you immediate Notice of my Movements, and of the Disposition of Force I may find it necessary to make for the Protection of the Companies Territories in Guzerat.

“ The Sentiments of the Committee, relative to the Partition of Territory made with Fatty Sing, precisely correspond with those I have already ventured to give you upon the same Subject, and I flatter myself you will admit of their present Justice and Propriety.

“ I need not, I am convinced, call your Attention to that Part of the Committee's Letter, which relates to the Supplies of Money, setting forth their Distress, and the Impossibility of an exclusive Appropriation of the Revenues arising from the new acquired Purgunahs to the Payment of the Army under my Command, as its own Importance will give it a Claim to your immediate and particular Notice. Their Resolution of setting them apart for the general Purposes of the War, involves such a Variety of Charges, and so extensive a Field of Expence, that, exclusive of the Precariousness and, at present, inadequate Extent of the Revenue itself, leaves, I must confess, but little Hopes of Benefit or effectual Assistance from it. Let me therefore repeat my earnest Solicitations, that you will exert every Endeavour to remedy the Evils already felt, and prevent those, still more severe, which we must inevitably experience, unless you strain every Resource, at this Time, to administer Relief. I have so often troubled you with Representations on this Subject, and you are yourselves so well informed of the circumscribed Means possessed by this Government, towards extricating themselves and me from our present Distress, that I feel at once the Impropriety of enlarging further on it. (a)

(Signed at the End of the Letter)

“ Bombay, September 6th 1780.

“ Thomas Goddard.

(And at the End of the Consultation)

“ Warren Hastings,
Ed^d Wheler.”

Read, from Book 27, already delivered in, the following Extract of a Consultation of the 28th August 1780.

“ Fort William, the 28th August 1780.

“ At a Council ; Present,
The Honourable Warren Hastings, Governor General, President ;
Edward Wheler, Esquire,
Lieutenant General Sir Eyre Coote, K. B.

Pub. Dept.
Monday.

Mr. Francis indisposed.

“ The Governor General.

“ When I took Charge of this Government, under the former System of it, I found it loaded with a bonded Debt of One Crore and One Lack of Rupees, which Amount, in a very short Time after, grew to One Crore and Twenty-five Lacks. It was my good Fortune and Happiness to see this enormous Debt wholly reduced, and a Sum accumulated in our Treasuries which, as I recollected, amounted at one Time to Two Crore and Twenty Lacks of Rupees ; since that Time, our Expences have been increasing, our Means declining, (I will not in this Place enumerate the Causes of both), and it is now my hard Lot, and a painful Duty imposed on me by the Necessity of the Times, to propose, that we should again have recourse to the Means of supplying our growing Wants, and provide against the multiplying * the multiplying Exigencies, not of this State only, but of the other Presidencies, whose Existence must depend upon our Care of them, by taking up Money at Interest ; the Sum I do not propose, because I think it should not be limited.

* See in Orig.

“ The Subject is itself of too much Importance for a precipitate Decision. I desire only to submit it at this Time to the Consideration of the Board, and request that the other Members of it will be pleased to contribute their Opinions upon it, hoping that it may be resumed, and a final Conclusion drawn upon it at our next Meeting in this Department. (b)

(Signed at the End of the Consultation)

“ Warren Hastings.”

(a) Vide supra Appendix, N^o CCXXXVIII.

(b) Vide Appendix, N^o CCXXXIX.

Read, from Book 30, already delivered in, the following Extract of a Consultation of the 26th of October 1780, beginning at Page 621 of the same Book.

“ Fort William, the 26th October 1780.

Secret Dept.
Thursday.

“ At a Council ; Present,
The Honble. Warren Hastings, Governor General, President ;
Philip Francis, } Esquires.
Edward Wheler, }
Lieutenant General Sir Eyre Coote absent on Service.

“ By the late Accounts I have received from the Coast, I find the Whole of the Europeans they can muster in the Field, including Artillery, do not amount to 700, of which the King's Regiment are not 200. These, with Seven Battallions of Sepoys and 200 Horse, compose the Strength of their Army now camped at Marmalory, under the Command of Lieutenant Colonel Harpur, whom the Presidency of Fort St. George lately thought proper to remove from his Command in the Circars, after having experienced an unfortunate Defeat from some of Hyder's Troops. I also learn that Colonel Braithwait is sent to command at Tanjore. However, as I have every Reason to expect that I shall be able to get away from this disagreeable Place To-morrow Morning, I trust it will not be long ere I have the Honour to be at the Head of that Army myself. (a)

(Signed at the End of the Letter)

“ Eyre Coote.

(And at the End of the Consultation)

“ P. Francis.”

To shew the Situation of the Company's Affairs about the Period of Time when Sir Eyre Coote arrived at Madras, and subsequent the Applications made to the Rajah Cheit Sing ; and First, to shew the State of the Settlement of Madras :

Read, from Book 550, already delivered in, the following Extract of a Consultation of the 14th December 1780, beginning at Page 33 of the same Book.

“ Fort William, 14th December 1780.

Secret Dept.
Thursday.

“ At a Council ; Present,
The Honble. Warren Hastings, Governor General, President ;
and
Edward Wheler Esquire.

Lieutenant General Sir Eyre Coote absent on Command, at the Presidency of Fort St. George.

“ It may not be amiss to give you this early Information, as a Guide for your making the necessary Provision for the future Disbursements at this Settlement, which, by the Computation I can make, will rather exceed Seven Lacks of Rupees per Menssem, every Cowrie of which must come from Bengal, as I find there are no Resources here from whence a Pagoda is to be expected. I shall in a Day or Two have an exact Estimate of every Expence made out, and forwarded to you for your more particular Information.

“ The 10th November.

“ I went Yesterday to review the Army encamped Fives Miles from hence—Appearances not in their Favor ; but what is worse, I found from the Officers in Command of the Sepoys, that the Capture of Arcot, * from whence they most commemorate, have, from the Circumstance of their Wives, Families, and other near Relations being there, not only dispirited them, but created in them that Kind of Aversion to the Service which have already produced many Desertions, and in case of actual Service, gives us every Reason to apprehend Infidelity : Judge from this how anxious I must be for a Recruit of Sepoys from Bengal, even if the Detachment which is to come by Land is set out, as it is impossible it can reach me for these Four Months to come, long before which Time I conceive every Thing will be decided one Way or the other. I must entreat it of you, as a Point most material to the Success of my Operations, and absolutely necessary to avert that Danger, that you use your Endeavours to obtain Volunteers from among the Battalions. There are many possibly who will undertake a Voyage, which at this Season is very short, and send some to me ; many Opportunities may offer by the Ships which now daily sail from Calcutta to this Place. (b)

(Signed at the End of the Letter)

“ Eyre Coote.”

“ Fort St. George,
10th November 1780.

(And at the End of the Consultation)

“ Edw^d Wheler.”

(a) Vide supra Appendix, N^o CCXXXII.

(b) Vide Appendix, N^o CCXL.

The Counsel for the Defendant stated, That under this Head of Evidence they should now produce certain Letters from Mr. Smith, then lately appointed to the Government of Fort Saint George, which were not entered upon any of the Consultations; and desired that Mr. Cullen Smith might be called to prove the Hand Writing to the same.

• Mr. CULLEN SMITH was accordingly called in, and being sworn, several Papers were shewn him, and he was asked :

Q. Are these the Hand Writing of your Brother Mr. Charles Smith?

A. They are his Signatures.

The Witness was directed to withdraw.

Then the same were delivered in, and one of the said Papers was read as follows :

“ Fort St. George, 18th November, 1780.

“ Dear Sir,

“ Our public Letter has informed you of my having taken Charge of this Government; but this is not sufficient for me who has experienced your Friendship for many Years, and wishes to cultivate it on all Occasions.

“ However flattering my present Station may be in Appearance, yet I confess it is to me irksome, as the Situation of Affairs afford no Prospect but Anxiety and Trouble: All I can promise is the utmost Attention to the Public Service, and that no partial Views of my own shall impede it.

“ I am come to this Government when there is an exhausted Treasury, and a bad Prospect of future Resource; yet an unavoidable heavy Military and Civil List to provide for. In this Situation it is not in my Power to do more than to use every Means I can devise, for preserving the strictest Economy, and recovering the enormous outstanding Balances. His Highness the Nabob is reduced to a State of Bankruptcy; and instead of affording us any Assistance, we have been obliged to discharge the Arrears of his Cavalry, and to take it into our Pay, on his Assignment of Countries for the Payment of all Expences which may be incurred on this Account.

“ The Rajah of Tanjore pleads Inability to make any Advance, although his Country is in profound Tranquility; and he states his Affairs in such a Manner as renders it necessary to be extremely cautious how we proceed in any Measure which may be devised for procuring Aid from him.

“ The northern Rajahs and Renters are still largely in Arrears, but I have Assurances that there will be a considerable Sum forthcoming at the Commencement of the Year; and I shall continue my Remonstrances for further Payments.

“ When the usual Advances are made in the Beginning of next Month, I can assure you there will not be a Pagoda in our Treasury; and that we must apply to Sir Eyre Coote for our future Disbursements. This is a Circumstance which will evince the Necessity of your supplying us with Money from Bengal as soon as possible.

“ Although I cannot flatter myself with the Pleasure of hearing from you often, yet I shall not omit an Opportunity to inform you of any Thing I deem sufficiently important to engage your Attention.

“ I have the Honour to be,

Dear Sir, Yours, &c.

“ Charles Smith.”

To prove that Sir Eyre Coote was prevented from attacking Hyder Ally on account of the total Want of Provisions for his Army on the Coast,

Read, from Book 550, already delivered in, the following Extract of a Consultation of the 18th December 1780, beginning at Page 93 of the same Book.

“ Fort William, December 18th 1780.

“ At a Council; Present,

The Honourable Warren Hastings, Governor General, President,
and

Edward Wheler.

Lieutenant General Sir Eyre Coote, K. B. absent.

Secret Dept.
Monday.

“ I cannot pretend to say what Changes, whilst the Season obliges me to remain inactive, may be produced either by Time or my own Exertions; but it is necessary I should tell you, that were I not obstructed by the Weather, and ever so willing to enter upon Action, my Force is
neither

neither sufficient, nor in so prepared a State as to be equal to the Undertaking of attacking Heyder in the very formidable Posts which he now occupies; besides there are other very formidable Posts which he now occupies; besides, there are other very material Reasons, which render it for the present altogether impossible. The Deficiency of Tents is mentioned in my last Letter. I am now having some made from such Materials as are procurable. The Field Artillery, requisite for the Service, is not in Readiness, of which there needs no other Testimony than barely my mentioning that, at this Moment, Carriages and Tumbrils are making for it. The Circumstance evinces how little that very essential Branch of the Military Department has been regarded: The Draft Cattle, besides being deficient in Numbers, are in so weakly a Condition, that 20 Yoke of them, but Two Days ago, with the greatest Difficulty dragged a Twelve Pounder through the Streets of the Garrison. What then is to be expected of them in the unequal Ground, and the bad Roads which must be met with in the Course of a Campaign. It is impossible to say when or how I may be able to remedy this worst of Evils, as my Enquiries hitherto, for a Supply of Draft Bullocks, have neither produced present, nor promised me Hopes of future Success; and last of all, are the Inconveniencies which arise respecting Provisions. My last Letter acquaints you of their Scarcity, and that there were none to be had beyond Five Miles from this Place; and what little could be drawn from that small Circle, I may safely say, is already pretty well exhausted; moreover, what Articles it does furnish, are of a Kind more calculated for the Use of the European Inhabitants, to whom they prove but a scanty Supply for One Day's Expence, than as Stores for the general Subsistence of an Army. It is evident then, that whenever I may march, I must carry every Article of Provision for the Use of the Troops from hence; and as I could not, either in Prudence, or from a Knowledge of the Length of Time to which my Operations may be extended, limit myself on that Score, the Quantity (for which, supposing I either had or could procure sufficient Carriage, of which there is not now enough to convey Six Days Provisions) would be so considerable, that, against the very large Bodies of Horse which would harraß me on all Sides, my little Army would scarcely prove an adequate Guard. Had I but Four thousand Cavalry to assist in this necessary Part of Duty, I should apprehend nothing. As it is, until I am sufficiently prepared to act offensively, all I can promise myself is, that I shall most certainly engage the Enemies*, should he move this Way. I am at present taking Means to procure a Body of Cavalry, in which, should I succeed, I shall esteem myself fortunate, notwithstanding the heavy additional Expence which it may subject the Company to. Favoured by the Season, I am now preparing to send off, under a strong Escort, a small Supply of Provisions for the Garrison of Chingleput.

* See in Orig

" Having stated to you pretty fully my own Situation, I shall now give you some Account of Hyder's: He has taken up his Residence in Arcot, where he is now employed in completing his Artillery Park, and putting the Place in the best State of Defence possible. The Palygurs of the Countries he has possessed himself of, as well as the Officers of the Nabob, who were there for the Business of the Collections, are all attending at his Durbar; and he has uniformly confirmed them in their respective Employments. He has sent strong Detachments from his Army to occupy every Station of any Kind of Consequence betwixt us and him; and which he has also fortified. He has likewise sent considerable Bodies to cut off our Communication with, and to prevent Supplies from going into those Forts in which we have still Garrisons, and which, I am sorry to say, are very ill prepared for Resistance; for, exclusive of their having but a small Stock of Provisions, they are scandalously deficient in the Military Stores necessary for their Defence. In some, there are Guns, understood to be for that Purpose, but without Carriages to mount them. Whilst in making these Observations, I reflect Blame on this Government, I must, in Justice to the Person at the Head of the Military say, that upon reading his Reports and Representations, I find that he has not been wanting in Attention to what was his proper Sphere.

" Intelligence has lately arrived from Pondicherry, which informs us of the People there having raised two new Corps, which they call Hyders; and from which, at this present Time, Parties are stationed on the High Roads, who collect Duties on Grain, and all other Necessaries of Life going in to Cuddalore. Whilst they are thus employed by Land, they are not inactive also by Sea, on which they have got a Number of armed Boats, which take and plunder the small Craft which go along the Coasts, to and from this Place to the Southward, with Merchandise and Provisions; and so injurious have their Operations of late proved to the trading Part of the Community, that at the earnest Solicitation of the Gentlemen of the Council, and being myself satisfied of its public Utility, I have taken upon me to detain the Farmer Schooner, Captain Sherman, which is to be properly armed, and to go up and down the Coast, and destroy all Boats which he may find either employed, or which he may suspect to be engaged as mentioned above.

" I have also, at the particular request of the Council, agreed to detain the Intelligence Schooner, Captain Murray, who is gone to the Streights of Malacca, to give Information to our China Ships, of the French Cruizers that have appeared on the Coast, that they may be on their Guard, and to bring us back any Intelligence he may get relative to the French Ships. This Step, besides its being of Importance to the real Interests of the Company, was judged absolutely necessary, as some Accounts which have been received in the Settlement inform of more Frigates than

than those which have appeared on the Malabar Coast, being fitted out from the Mauritius, and which there is therefore Reason to suspect may be gone to the Streights.

" Judging it also a Matter of the utmost Consequence, that our Bombay Administration, the Admiral, and Brigadier General Goddard, should be made particularly acquainted with the Situation of Affairs here, and considering the little Safety there now is in sending Letters by Land, and likewise the Impropriety there would be in trusting Matters of such Importance entirely to so precarious and dangerous a Channel of Conveyance, I have sent round the India Schooner, Captain Jones, with my several Dispatches to them, and desired she may be returned here as soon as possible. On the Subject of these Dispatches, it is only necessary I should inform you, that I have, in general Terms, recommended to them, to unite in distressing the Possessions of Hyder, in any Way that may be in their Power.

" I hope all these Transactions will meet your Approbation. I cannot however help expressing my Regret at depriving you, even for a Time, of the Use of Vessels which are of such real Service, and so much wanted, as Pilots in the Bengal River. I trust however, as the present Season was unfavourable for their Return, and as they would not in all Probability have completed their Voyage back in less than six Weeks, perhaps two Months, that in the End, as they will leave this Coast at a Time when they may go in a few Days, it will make no great Difference.

" We are further informed of many new Buildings erecting at Pondicherry; of its encreasing daily in the Number of its Inhabitants; and of many People having resorted to it from under our own Protection as a Place of Security; in short that it bids fair to be soon a very flourishing City: very large Quantities of Grain, which Hyder collects from the Country around, are now laying up at Karringuley, which Place we very impolitically neither defended nor destroyed, and which, from its Vicinity to Pondicherry, and the little Probability that Hyder should think of it as a Granary for his own Use, I have a strong Suspicion, that it must be intended for the French on their Arrival, which Event he daily expects.

" For your better Information on the State of the Provisions in the Garrison of Fort St. George, I enclose you Copy of an Estimate which I desired might be formed for the proper Complement of Men, &c. and for six Months, which, every Thing considered, cannot be deemed too long a Time to be previously provided.

" I likewise enclose you an abstract Estimate of the Military Expences of this Establishment for one Month, agreeable to which I must depend upon you for my future Supplies; I have to this Estimate annexed a Memorandum of the Monthly Expence of the Civil Establishments, for your Information, in case you should see it convenient at any Time to assist the Wants of that Department.

" I must now conclude this Letter with informing you, of my having had several Conferences with the Nabob Malla Jah, but which I am sorry to say have afforded me no Hopes of any Assistance from him; on the contrary he pleads Inability in every Way, and looks entirely to the Company for the Support both of his Cause and his Credit: His Influence in the Country seems to be completely overturned, nor can I find that he has a single Adherent, or even Friend left in it; I confess I am somewhat astonished at so very rapid a Revolution in his Affairs, and cannot help suspecting that his second Son the Aumeer has contributed to hasten his present Distresses; but what surprises me most is, that I have not yet been able to procure, through his Means, any good Information regarding either the Strength or Movements of the Enemy. (a)

" Head Quarters, Choultry Plain,
the 19th of November 1780.

" I have the Honour, &c.

(Signed) " Eyre Coote.

(Signed at the End of the Consultation)

" Edw^d Wheler."

To shew further the Situation of the Army on the Coast, their extreme Distress for Want of Provisions, and their Applications to Bengal for Assistance,

Read, from Book 567, already delivered in, the following Extract of a Consultation, dated the 25th January 1781, beginning at Page 280 of the same Book :

" Fort William, 25th January 1781.

" At a Council; Present,

The Honble. Warren Hastings, Governor General, President;
and

Edward Wheler, Esquire.

Lieutenant General Sir Eyre Coote, K. B. absent on Command at the Presidency of Fort St. George.

" Head Quarters, St. Thomas's Mount,
the 20th December 1780.

" Gentlemen,
" My former Letters acquaint you of the Scarcity of Provisions;—our Distresses on that Score have increased daily. It is now Fifteen Days since the Europeans of my Army have had a fresh

Secret Dep.
Thursday.

(a) Vide Appendix, N^o CCXLI.

Meal Day, that is, since the Day I marched from Cantonments there has not been any one Day enough of Rice for the Sepoys; indeed, for the first Thirty Hours, there was not a Grain in the Bazar: I have therefore been under the Necessity of having Resource to the Garrison Store. This, I confess, I do with Reluctance. As yet no Supplies have come from the North, nor any more from your Quarter since my Arrival. There is not, at present, a Maund of Grain to be purchased in the Settlement, so that our Cavalry Draught, and Carriage Bullocks are now fed on what little Paddy can be got; the Draft and Carriage Bullocks are still very deficient, and even in the short March from Chorilly Plain to the Mount, gave too striking a Proof of their Inability to go through a Campaign, by the Difficulty with which they drew our Artillery. Experiencing these Difficulties, I may say at our own Doors, I leave it to yourselves to judge what might be our Situation, were I immediately to proceed to a greater Distance. It would be an Act of rash Imprudence, which I could not, were the Army much more formidable than in Fact it is, reconcile to my Regard for the real Interests of the Company and the British Nation, on this Coast.

"The Enemy's Cavalry are in detached Parties all around us, and daily make their Appearance in one Quarter or another. No longer ago than Yesterday, they were so daring as to come within Reach of the Cannon on the Wall of the Black Town, plundered the Washermen of all the Linen they were washing, and cut off the small Supply of Fowls and Vegetables, which used to come a few Miles to the North, for the Use of the Inhabitants of Fort St. George. This Event suffices, that were I to move on, the Garrison would, on the Land Side, be as completely blockaded as if really regularly besieged, and, of Course, the Inhabitants would be subject to the same Distresses. Indeed it may be said, as nothing now comes in from the Country, they already suffer them, and that my remaining is of no Service: But until I am in a Condition to move, the Army to act, it would be impolitic, by going a few Miles further on, to destroy the Influence which it now has in obviating the Idea of a Siege, which might produce Effects prejudicial to our Interests over all Indostan*.—In short, before I take a Step in a Matter of such great Importance, and on which so much depends, I wish to hear of the March of the Bengal Detachment, and of the probable Result of our Peace Negotiation with the Marattas.

"The Intelligence which I have been able to obtain here on the latter Subject, by no Means promises a speedy Accommodation. Nanna Furnesse is averse to leaving Hyder Ally in the Lurch. Hyder, on his Part, sensible of the Ruin that would fall upon him were a Peace to take place between us and the Marattas, is exerting himself by every possible Means to keep them firm to their Engagements; and, in order to attach them further to his Interest, he has lately determined on sending the Poona Government a considerable Sum of Money. I am told, he many Months ago presented the Minister, Nanna Furnesse, with Four Lacks of Rupees, and to which is ascribed the Attention that Chief now shews to Hyder's Cause. I have yet received no Advice of General Goddard's Operations against Bassien, nor any Intelligence of the Arrival of Sir Edward Hughes on the other Coast, both of which Points I am extremely anxious to be informed of, as well as of the safe Arrival of the Letter I wrote them from here.

"Hyder Ally, continues at Arcot while his Affairs carry on their Operations in some Degree.

"Colonel Lang writes me from Vellore, that he has drawn off Two thousand of his best Troops, and all the Artillery that he had sent for the Siege of that Garrison, so that I have not now the least Apprehension for its Safety; indeed, in Justice to the good Conduct and military Abilities which Colonel Lang has evinced, by the Manner he has provided for the Security of that Garrison, I had originally little to fear; in that Quarter there were two Sallies made from the Garrison, both of which were attended with Success, between forty and fifty Cavalry of the Enemy having been killed in the first, and between eighty and ninety in the last, on which Occasion we had sixteen Sepoys killed and wounded; a Mahratta Chief, one of Hyder's Commanders of Horse, is said to have been killed by a Cannon shot from the Fort. The Officer in command of the Garrison of Amboor, writes, that he will defend it against the whole of Hyder's Force, now that the Nabob's People have deserted him. Wanderswall is besieged, the Pettah has already been plundered, and I must own I am something alarmed for its Safety, as the Sepoys belonging to the Nabob, which were stationed there for its Defence, have mostly deserted, so that it is possible that at the Time I am now writing, there may not be more than the Officer and the two Companies of our own Sepoys to resist the Enemy's Attack. The Pettah of Chingleput has been assaulted, but the Enemy were repulsed with some Loss: Permacoil is besieged, and I fear will fall, as the Nabob's Sepoys have deserted it to a Man, and there only remains in it an Officer, with a few of our own: I cannot describe to you the Concern which all these Circumstances give me, and which my own Situation serves greatly to aggravate: I endeavour to keep up my Spirits, and hope for the best.

"Report says, Hyder's Army comes this Way: I trust he will, as I wish for nothing more ardently than to engage him, as I think even small as our Number be, they will soon convince him of his Error, in attempting a Battle upon the Ground that I chose. I have the Pleasure to acquaint you that I have received Information, and which we deem authentic, that Dowet Row, the Nephew of the late Mirra Row, in conjunction with one Purfaram, have regained Possession of the important Fort of Gooty, by a treacherous Negotiation with Hyder Ally's Killadar, who was in charge of it; the Nairs on the Coast of Malabar, near to Tellicherry, it is also said have rose in Arms, and have invaded his Dominions on that Side: I sincerely wish it may be the Case, as in all usurped Governments rebellious Operations want a favorable Beginning to become general, and consequently formidable.

dable. I shall be heartily glad they prove true on another Account, as it will oblige Hyder either to seek for a Battle, or else send off so large a Part of his Army, for the Protection of his own Country, as will render it more easy and honorary for me to drive him from the Carnatic.

" I had written thus far, when two Hircarrahs arrived with the disagreeable News of the important Fort of Gingee being in the Possession of the Enemy; they say that it fell by the Treachery of two Soubadars belonging to the Nabob's Sepoys, who opened the Gates and let the Enemy in; the Officer who was there with one Company of our Sepoys, the Hircarrahs say, retired to one of the highest Rocks, where he remained for two or three Days, and at last surrendered at Discretion. I cannot avoid, on this Occasion, making public Mention of my having, on my first Interview with the Nabob, warned him of the Loss of Coringee, and to take Care that his People did not betray him there as they had in other Places; that its natural Strength was such, if defended, that it was not in the Power of all Hyder's Army to take it; that if it had fell, I should consider him as no longer Nabob of the Carnatic. My Motive for this Declaration was obvious, it was to rouse in him some Spirit of Exertion for the Support of his own present and future Interest; but I am sorry to say all my Exhortations have proved fruitless, and so little does he seem to be concerned on the Occasion, or to consider the personal Presence of one of his Family necessary, notwithstanding I have requested it of him as a Thing for his Credit, that not one of them has been near me since I marched the Army hither.

" This serves as a further Confirmation of what I have written in my former Letter, regarding his total Indifference to his own Interest; at the same Time it must convince you, that every Thing rests upon our own Exertions, and in which the excessive Quantity I am obliged to take is far more considerable than ought to fall to the Lot of my Nation.

" I must embrace this Opportunity of reminding you, that a Supply of Money will very soon be wanted, and that it is the Sheet Anchor of our Existence, and on which every Thing will depend. Should the French arrive, and whom, by the last Accounts we have from the Cape, we may expect daily, I trust you will not disappoint me. (a)

" I have the Honour to be,

(Signed)

" Eyre Coote.

(Signed at the End of the Consultation)

" Edw^d Wheler."

The Counsel for the Defendant stated, they should next read an Extract of a Letter from the Board, to the President and Council at Bombay, entered on a Consultation of the 9th January 1781, to prove that, notwithstanding all the Difficulties under which they laboured, they supplied that Presidency with Five Lacks of Rupees at the Time above-mentioned.

Read, the following Extract of a Consultation of the 9th January 1781, beginning at Page 31 of the same Book.

" Fort William, 9th January 1781.

" At a Council; Present,

The Honble. Warren Hastings, Governor General, President;

Edward Wheler Esquire.

Secret Dep.
Tuesday.

Lieutenant General Sir Eyre Coote absent on Command at the Presidency of Fort St. George.

" We have sent to your Presidency, * on the Ship Duke of Portland, the Sum of 5 Lacks of Rupees, which we hope will prove to you a reasonable Supply; and we authorize you to draw on us for such further Sums as you may want, at a reasonable Rate of Exchange; but the Exchange of Bills procured here, payable at your Presidency, is so extravagantly high, and the Risk of Conveyance of Treasury to the other Side of India so great, that we cannot promise you Supplies in any other Manner. (b)

" Fort William, 7th January 1781.

(Signed at the End of the Consultation)

" Edw^d Wheler."

To shew the Sense that Sir Eyre Coote, and the Inhabitants on the Coast, entertained of the Assistance afforded them by the Government of Bengal,

Read, the following Extract of a Consultation of the 23d February 1781, beginning at Page 547 of the same Book.

(a) Vide Appendix, N^o CCXLII.

(b) Vide Appendix, N^o CCXLIII.

" Fort

“ Fort William, 23d February 1781.

“ At a Council; Present,
The Honble. Warren Hastings, Governor General, President ;
and

Edward Wheler, Esquire.

Lieutenant General Sir Eyre Coote, K. B. absent on Command at the Presidency of Fort
St. George.

“ Head Quarters, Great Mount,
the 7th January 1781.

“ I am made happy by receiving your further Assurances of regular and full Supplies of Treasure, as upon that entirely depends the Support of the little Army I have here, and of Course the Safety of what yet remains to us on this Coast. An Estimate of the Monthly Expence was transmitted to you in my Letter of the 19th November, which you have acknowledged the Receipt of, and agreeable to which I shall rely on receiving your timely Assistance; as after what I have already expended on Military Services, and discharging the unavoidable Demands of that Establishment of this Month, I shall have but a very small Part of the Treasure I brought with me remaining. (a)

(Signed at the End of the Letter)

“ Eyre Coote.”

(And at the End of the Consultation)

“ Edward Wheler.”

Read, a further Extract from the same Consultation, beginning at Page 549 of the same Book.

“ Head Quarters, Great Mount,
the 7th January, 1781.

“ Your ready Attention in sending Provisions and Grain makes every Inhabitant living under the Protection of this Presidency your Debtor, as without such seasonable Supplies they would soon have been reduced to the utmost Distress, as the Assistance received from other Quarters is but very scanty indeed. (b)

(Signed at the End of the Letter)

“ Eyre Coote.

(And at the End of the Consultation)

“ Edward Wheler.”

To shew further the Distresses of the Presidency of Bombay at the above Period, and their Reliance upon the Government of Bengal for Support,

Read, from Book 513, already delivered in, the following Extent of a Consultation of the 27th April 1781, beginning at Page 1094 of the same Book :

“ Fort William, 27th April 1781.

“ At a Council; Present,
The Honourable Warren Hastings, Governor General, President ;
and Edward Wheler, Esquire.

Lieutenant General Sir Eyre Coote, K. B. absent on Command at the Presidency of Fort
Saint George.

“ We have experienced, and still continue to feel, the most severe Distress for Money, and are much disappointed at neither receiving Supplies or Answer to our Letter of the 17th August. Every Department is largely in Arrears, and it is with the utmost Difficulty that we can provide for those Occasions which indispensably require ready Money. General Goddard has repeatedly pressed us on the Subject of his Wants ; but it is totally out of our Power to afford him any further Assistance, than allotting the Receipts from the new Acquisitions dependant on Serrat, for the Service of the Army. These Districts, as well as our other Possessions in Guzerat, have hitherto fortunately remained undisturbed by the Enemy, or our Distresses must have been altogether unsupportable ; this Resource, however, will be soon exhausted for the present Season, and we must earnestly intreat that you will make us timely Remittances for our Support, at that Time of the Year when we can receive Relief from no other Quarter.

(Signed at the End of the Letter)

Bombay Castle,
Feb. 15, 1781.

“ W^m Hornby,
D. Draper,
N. Stackhouse.”

(And at the End of the Consultation)

“ Edw^d Wheler.”

(a) Vide Appendix, N^o CCXLIV.

(b) Vide supra Appendix, ibid.

To prove the Depredations of Hyder Ally, that he destroyed all the Supplies from the Coast, and to shew the Applications made by the Presidency of Madras for a Supply of Rice from the Government of Bengal,

Read, the following Letter from Mr. Smith to the Governor General, dated the 5th March 1781, already delivered in.

“ Dear Sir,

“ As a Detachment of Hyder's Army has burnt and destroyed great Quantities of Grain in the Tanjore Country, and along the Sea Coast from Porto Novo to Nagapatam, I am under great Apprehensions that we shall be distressed in this Place; and therefore must request your kind Attention to these particular Circumstances:—I hope you will be able to make another Contract for 50 or 60,000 Bags of Rice, or, if this be impracticable, order such Encouragement and Assistance to be given to the Exportation of Grain, that many Merchants will equip Vessels for this Port in the Course of the ensuing Month. The enclosed Copies of Letters from the Southward will evince the Urgency of the Case, and therefore it is unnecessary for me to say more on the Subject.

“ The last Letter I received from Sir Eyre Coote was dated the 22d ultimo: He was then encamped at Newtown Cuddalore, and as the Enemy was in Force very near him, we are in hourly Expectation of hearing some important News. When I consider that he has not more than 6,000 effective Men, and the Enemy at least Ten Times the Number, I tremble for the Event; yet there is a Consolation in knowing that his little Army is full of Confidence and Ardour, and the Enemy has repeatedly declined an Engagement.

“ The low State of our Treasury is a Source of continual Uneasiness to me; and I look around in vain for a Prospect of Supplies except from Calcutta.—Accepted Bills due and unpaid.—The Civil Servant Six Months in Arrears, and every Department distressed for Want of a Supply to discharge the Demands on them.—Neither the Company or Individuals able to raise Money on any Terms.

“ Thus situated, all Comments are unnecessary, as I have not a Doubt but you will do every Thing in your Power to aid us.

“ I have the Honour to be, with Esteem,

“ Madras,
5th March 1781.

Dear Sir,
Your faithful humble Servant,
(Signed) “ Charles Smith.”

“ The Honble. Warren Hastings, Esquire.

“ P. S. There are Letters from Sir Thomas Rumbold at the Cape of Good Hope, dated the 29th September:—The Squadron had been sickly and obliged to put into Madagascar, where they staid Six Weeks, and were joined by Five Ships from China. At the Cape they found the Ceres, and were to leave that Place the 2d October for St. Helena, where they would in all Probability meet the Prothea and Hanibal Men of War, with the Hawk and Prince's Royal, and from thence sail for England; Five Ships of the Line and Twelve Indiamen, where they expected to arrive by the Middle of January.”

To prove that, for Want of Supplies, Sir Eyre Coote was obliged to retire before Hyder Ally; to shew the great Danger of the Army and Presidency of Madras at that Period; and their Applications for a Supply of Rice at all Risques, and upon any Terms;

Read, the following Letter from Mr. Smith to the Governor General, dated the 22d March 1781, already delivered in.

“ Dear Sir,

“ I had the Honour of writing to you on the 5th Instant—Triplicate Copy of which now goes herewith.

“ I am inexpressibly concerned to hear the News contained in the accompanying Copies of Letters, received this Day from Mr. Morley, our Resident at Anjengo; it is a Blow which will be severely felt in India, but especially on this Coast, where we are most distressed.

“ By a Letter received this Day from Mr. Dent, Chief of Cuddalore, dated 18th Instant, I have Advice that Mr. Hudleston, our Resident at Nagore, has been obliged to abandon that Factory, and bring to Cuddalore the other Gentlemen, with Three Companies of Seapoys and such Stores, &c. as he could most conveniently put on Board, he spiked Two 12 Pounders, but had not Time to bring off about 60 Barrels of Gunpowder, as Lally, with 8000 Horse, was very near his small Redoubt: All the Country is laid waste from Porto Novo to Nagore, and the Grain destroyed; the Enemy has entered the Tanjore Country, and is also destroying there all the Grain they can find.

" By the last Advices from Camp, dated the 17th, General Coote was still with his Army at Newtown near Cuddalore. I dispatched to him last Night the Grosvenor Indiaman, with above 500 Bags of Grain and other Necessaries; the Success Galley, and Snow Amazon, have been under his Orders for sometime past, and rendered him many essential Services.

" As I have fully stated our great Distresses in my last, I have only now to request your most serious Attention to the foregoing Circumstances, as additional Reasons, for every Exertion being made at Calcutta, for sending us Rice from thence, at all Hazards and at any Expence. I place very great Dependence on your issuing the strictest Orders for this Purpose, and not suffering any Representations about Weather or Seasons to operate against the unexaggerated Necessity of the Case; as it is evident, we have not now the least Prospect of the usual Southern Supplies; nay, are obliged to expend our Garrison Stores in supplying the Army stationed in that very Quarter: 100,000 Bags of Rice seem an immense Quantity; but when the daily Consumption, even of this Fort and the Black Town, is estimated, it will be found not much above Two Months Provision; yet we have now an Army to feed, and a great Addition to it approaching;—To increase our Distresses, the Natives to the Northward have been so alarmed by Reports of French Privateers being off Point Gardewar, that no Force or Persuasions can make them venture to Sea; they have unloaded many Vessels ready to fail.

" I have already acquainted you that I am in the greatest Distress for Money, and cannot see the smallest Prospect of any Supply from Nabob Rajah of Tanjore, or any other Quarter, except from you. The Army is now a Month in Arrears; the Garrison in same Condition; and the Civil Servants in the utmost Distress, not having had a Pagoda for these Seven Months past: In short, every Department is labouring under Difficulties, and I can afford no Assistance, not having Ten thousand Pagodas in the Treasury, nor can I devise any Mode of replenishing it.

" Permit me therefore, dear Sir, to most earnestly request you will raise a considerable Sum, on any Terms, to be remitted to us speedily, as all is at Stake, and must be lost, if the most spirited Exertions are not instantly made—Words cannot convey an Idea of what I feel at this Moment—but I must have done, and will only add, that I am, with much esteem,

" Fort St. George,
22d March 1781.

" Dear Sir,
Your faithful humble Servant,
" Charles Smith."

" P. S. The Diligent Snow arrived here this Day, from Malacca; her Commander says, he learned from a Macco Man that the 2d Division of our China Ships sailed the latter End of January, consisting of Seven Sail, but has heard nothing further about them at Malacca; he supposes they have got safe through some of the other Streights, there being no Advices of Cruizers in those Parts.

" I intend to dispatch the Diligent to assist Sir Eyre Coote in his Operations, so soon as she can be got ready, which will be in a few Days.

" Charles Smith."

" The Honble. Warren Hastings, Esquire.

The Counsel for the Defendant desired the Inclosure in the above Letter might be read.

The Managers for the Commons objected to the same being read;

And the Counsel for the Defendant being heard in Answer,

The Managers for the Commons waived their Objection.

The Inclosure was then read as follows:

" Mr. Morley presents his most respectful Compliments to the Honble. Governor Smith, and begs Leave to communicate to him this disagreeable Intelligence, brought by Capt. Forest, of the Five undermentioned East Indiamen, with 52 West Indiamen, having been captured near Madeira, in August last, by a Fleet of Spanish and French Men of War, which carried them into Cadiz;—Godfrey—Royal George—Hillsborough—Glatton—and Mountstuart."

" 2d March 1781.

To shew, That at the above Period a Famine took Place at Cuddalore, near Fort St. George, which obliged that Settlement to apply to Bengal for Relief,

Read, the following Letter from Mr. Smith, to the Governor General, dated March 26th, 1781, already delivered in.

" Dear Sir,

" As I cannot suppress my Anxiety, which is inexpressible, I trouble you with many Duplicates and Triplicates of my Letters, for Fear of Mis carriage.

" Since

" Since my last, the Board here have received a Letter from the Chief and Council of Cuddalore, representing, that the Inhabitants there are in a most deplorable Condition for Want of Rice, and most earnestly requesting a speedy Supply from hence, as all Communication with the Southward beyond that Place, is entirely cut off. I understand the Monthly Consumption of that Settlement to be about Eight Thousand Bags of Rice, exclusive of what must be now carried out into the Country whilst the Enemy is around them. A Famine has actually commenced there, and I fear all my Exertions cannot prevent its Increase.

" I shall be very unhappy until I hear from you. I am beset from Morning until Night with importunate Suitors for Money. Could I but once tell them it was certainly coming, I might procure some Respite.

" I am, with Esteem,

Dear Sir,

" Madras, 26th March,
1781.

Your faithful humble Servant,

" Charles Smith."

" The Honble. Warren Hastings, Esq.

To shew the Continuance of the above Distress,

Read, from Book 513, already delivered in, the following Extract of a Consultation of the 27th April, 1781, beginning at Page 1015 of the same Book.

" Fort William, 27th April 1781.

" At a Council ; Present,

The Honble. Warren Hastings, Governor General, President ;
and

Edward Wheeler, Esq.

Lieutenant General Sir Eyre Coote, K. B. absent on Command at the Presidency of Fort St. George.

Secret Dept.
Friday.

" Our Distress for Money has laid us under the Necessity of sending this Vessel to Mazulipatam, to bring as much as can be spared, reserving some for the Use of Colonel Pearce's Detachment ; and that she may not be in Danger from French Privateers, of which we have had Reports, though no Certainty, she proceeds under the Convoy of the Indiamen, who are directed to remain at Mazulipatam until she sails for the Presidency with the Treasure. So soon as she has performed this Service, it is our Intention to dispatch her to you.

" The Court of Directors have, in their Letters to us by this Vessel, written fully on the Subject of the Armament coming from England, and the Purposes for which it is designed. We sincerely hope, that such an Alteration in the Circumstances of our Affairs may take Place, as will enable the several Presidencies to join effectually in the Execution of the Plan which has been recommended. In the mean Time, we can only observe, that we are heartily disposed to co-operate with you, upon whom this Business must principally rest, to the utmost of our Power. But we are extremely apprehensive, that nothing can be done, at least on our Part, until the Peace of the Carnatic be restored ; and this being an Event which depends so entirely upon a speedy Accommodation with the Marattas, we cannot but express our most fervent Hope, that your Endeavours to that End will be successful.

" Our Army has been for some Time at Cuddalore ; and we cannot explain the Reasons which have induced the General to remain there, better than by enclosing you, Extracts from his Letters on this Subject. The Country has been so completely overrun and laid Waste by the Enemy's Cavalry, that we do not wonder at the Difficulties which prevent the Movement of the Army. We have used every Means in our Power to obviate them ; but we fear that nothing will prove effectual, until our Affairs can enable us to create a powerful Diversion of the Enemy's Force.

" Our Distress for Want of Money is become truly alarming, and we earnestly entreat your Honour, &c. will take Measures for supplying us without Loss of Time. The Army is in Arrears for the last Month, and our Troops in this Garrison are in the same State. The Money received from you, except a small Balance remaining with General Coote, has been all applied to the Disbursements of the Army, and we have added, for the same Purpose, whatever Money of our own we could scrape together, in so much that every other Department is at a Stand, and the Civil Servants have received nothing for these last Seven Months. Under these Circumstances we have been absolutely compelled to draw a Part of the Money which is in Treasury at Mazulipatam, for the immediate Support of the Army, notwithstanding the Resolution we had formed of continuing it there for the Disbursements of Colonel Pearce's Detachment. Agreeably to the Desire you had signified to us, we have still given Orders that no more be sent us than may be sufficient to supply our most pressing Wants, and we hope, before Colonel's Pearce's Detachment arrives there, the Gentlemen will have the Means of supplying its immediate Necessities.

" There is every Appearance that we shall be in the greatest Distress for Grain, as all the usual Supplies from the Southward are cut off, and instead of receiving from thence, we are obliged to supply

supply the Army, and also the Settlement of Cuddalore, where a Famine has actually commenced. At a moderate Computation, above 15,000 Bags per Month are consumed by the Army and Inhabitants of Cuddalore, and 60,000 at the Settlement; therefore we ought to have full 4,50,000 Bags of Grain for a Supply until September. But, we are sorry to say, that the Quantity now in Store, including both the Company's Rice, and all that is in the Possession of Individuals, do not exceed 1,25,000 Bags, according to the best Information we can procure; and we cannot expect, at this late Season, above 40,000 more, however fortunate the Vessels may be in arriving here.—This unexaggerated State of our Situation, needs no Comment; but will evince the Necessity there is for our receiving speedy Supplies from you, and, therefore, we hope that no Consideration whatever will induce you to permit the Neptune, Bellmont, Rochford, and Dartmouth being employed on any other Service than in bringing Money and Grain to this Settlement. We must earnestly request they may be dispatched without Delay. Captains Thomson and Tod have promised, in a public Letter to the Select Committee, to perform their Part, if they have your Permission; and we have no Doubt but Captains Scott and Gamage will shew an equal Zeal for this most important Service.

“ We fear, that the Want of the 400 Casks of Salt Provisions, you contracted for to be delivered here in this Month, will be severely felt by the Army and this Garrison, as we have only 100 Casks now in Store.

“ Altho' we have already, in this and our former Letters, so fully and urgently represented our Distress for Money, we must again renew the Subject by declaring, that we cannot devise the Means of paying our Military Establishment alone for Two Months longer, even when the Balance remaining with General Sir Eyre Coote is included in the Account, and every probable Receipt from the Northward and Southward. His Highness the Nabob is either totally incapable of affording us the least Aid, or else remains insensible to the strong and numerous Representations we have made to him of our critical Situation. We have endeavoured, in vain, to alarm him for his own Situation; if he be incapable of rendering any Assistance, which we fear is the Case (except the Nellore Districts, which he has obstinately refused to deliver up to us, as before represented to you) further Remonstrances are vain; but if he really possesses Resources, we know not of any Means in our Power, untried for obliging him to use them.

“ We have no Advices yet of what our Deputies have done at Tanjore, or the Receivers at Trichinapoly and Tinivelly; but we have little Hopes that the former will be able to procure any considerable Sum, as the Enemy has laid waste a great Part of the Tanjore Country, or that the latter can receive more than will pay the Troops at Trichinapoly and Tinivelly.

“ The Court of Directors have been pleased to appoint Mr. Stephen Sullivan President and Paymaster at Tanjore; we enclose an Extract of such Part of their Letter as relates to this Appointment, which we request you will communicate to Mr. Sullivan, and desire him to repair hither to take Charge of his Employ.

“ The Invalids which came here on the Duke of Portland and Shaw Allum, are now returned to you on the Dartmouth and Rochford; and on these Ships the Cadets for your Establishment also embark, agreeable to the Lists enclosed. These Gentlemen, during their Stay here, have been formed into a Company under an experienced Officer.

“ The Intelligence Snow returned from the Streights of Malacca a few Days since; her Commander informs us, he learnt from the Captain of a Macao Ship, that the Second Division of Company's Ships, consisting of Seven Sail, were dispatched from China the End of January, and as he heard nothing further of them, he concludes they had passed in Safety thro' some of the Streights, there being no Report of French Cruizers in these Seas. We have armed this Snow for War, and dispatched her to Cuddalore, Sir Eyre Coote being greatly in want of such a Vessel to cruize against the Enemy's armed Boats.

“ We learn by private Letters from the Cape, dated the End of September, that the Company's Ships, that sailed hence with the Men of War the Beginning of April, had put into Madagascar, where they were joined by Five Ships from China, and that they found the Ceres at the Cape, from whence they were to sail the 2d October.

“ We are,

Honourable Sir, and Sirs, &c.

(Signed) “ Charles Smith,

(Signed) “ Sam^l Johnson.

(Signed at the End of the Consultation)

“ Edw^d Wheler.”

Read, the following Extract of a Consultation of the 14th June 1781, beginning at Page 1711, of the same Book:

" Fort William, 14th June 1781.

" At a Council; Present,
The Honble. Warren Hastings, Esquire, Governor General, President,
and
Edward Wheeler, Esquire.

Lieutenant General Sir Eyre Coote, K. B. absent on Command at the Presidency of Fort St. George.

" I am informed from Fort St. George, by the Select Committee, that they have written to you several Letters acquainting you with our immediate Want of Money, and of the great Distress we are likely soon to be in for Provisions; the Carnatic has yet afforded us no Assistance on that Score, nor does any come from the Southern Countries; so completely has Hyder, with his Immensity of Cavalry, possessed himself of the Country, that it is with Difficulty the Garrisons still in our Possession, although the Numbers they contain are very small, find Subsistence; and wherever the Army goes, the Enemy's Horse precede its March, plunder the Inhabitants of the little which may have been left them, burn their Villages, and lay waste the Country all around, so as hardly to leave a Straw to feed our Cattle with: This is a Mode of making War, which must in the End reduce us to the most imminent Distress, unless some speedy and powerful Exertions are made to extricate us.

" I need hardly remind you of the Encrease of Expences in both Money and Provisions; which will ensue on the Arrival of the Detachment under Colonel Pearse, the Sufferings of which has been most calamitous. I shall not dwell upon them, as he has, no Doubt, made you himself fully acquainted with them. (a)

(Signed at the End of the Letter)

" Camp Newtown,
27th April 1781.

" Eyre Coote."

(And at the End of the Consultation)

" Edw^d Wheeler."

To show further the critical Situation of Madras, the Expectation of a French Army, and the total Want of Money there at the above Period,

Read, a further Extract from the same Book and same Consultation, beginning at Page 1696 of the same Book:

" Fort William, the 14th June 1781.

" At a Council; Present,
The Honble. Warren Hastings, Governor General, President,
and
Edward Wheeler, Esquire.

Lieutenant General Sir Eyre Coote, K. B. absent on Command at the Presidency of Fort St. George.

" Read, the following Letter from Lieutenant General Sir Eyre Coote.

" Gentlemen,

" I was some Time since honoured with your Letter, enclosing a Bill of Exchange for 5000 Pagodas, and a List of the Gentlemen belonging to the Volunteer Company, whom you had been pleased to promote to the Rank of Ensigns, and requesting, as you were greatly in want of Subaltern Officers on your Establishment, that they should be sent round if they could be spared.

The Bill for 5000 Pagodas was duly accepted, and will no Doubt be discharged when it comes in course of Payment.

" Previous to my taking the Field, there being a Want of Officers also on this Establishment, I recommended such of the Gentlemen of the Volunteer Company as had shewn themselves most deserving for Promotion, and they were in Consequence made Officers; those who remained as Volunteers, and I find by the List you sent me had been promoted, I ordered round some Time ago to Bengal, although I cannot help observing to you that I was under the necessity of passing some of them over in the Recommendations I gave in here for Promotion.

I enclose you a Copy of a Letter I have received from Brigadier General Goddard, by which you will be informed of the little Prospect there now is of Peace with the Mahrattas; being, as I have long done, the Necessity of an Accommodation in that Quarter, to afford us even a Chance of extricating our Affairs from the Ruin which impends them, and the heavy Distresses under which they now labour, it is a Matter of the most sincere Concern to me not to be furnished with such good Proof of the little Hope there now is of our Terms of Treaty being accepted; whilst I cannot help being filled with Surprise at a Declaration contained in the Poonah Minister's Answer to General Goddard's Letter, wherein he writes, that Moodjee Boffa had informed the Circar of his having sent back our Proposals of Treaty to Calcutta, as inadmissible for him to forward to the Poonah Government; I can scarcely credit that such a Thing can have happened,

(a) Vide Appendix, N^o CCXLV.

because I am persuaded that you would not have withheld from my Knowledge an Occurrence of such infinite Consequence, and which indicated the Failure of a Measure, upon the Success of which I built my chief Hope of retrieving the Misfortunes which had fallen upon our Affairs of this Coast; and although I should have felt the Information then, as I do now, as a very heavy Disappointment, still to have had an early Knowledge of it would have been satisfactory, and shewn me the Extent of our Expectations from that Quarter.

"By all that I can learn of the Situation of our Affairs on the Malabar Coast, from Gentlemen who have lately arrived from Bombay, and have had Opportunities to observe the Effects and Progress of all our Military Operations on that Side of India, I do not find that they are in a much better State than here; the Troops being considerably in Arrears, no Hopes of Money to discharge them, and very little to be expected from our late Conquests, as, although we have taken the strong Places, the Inhabitants of the Country have not yet weaned themselves from their Obedience and Attachment to their original Masters. In short, the Information I have obtained of Things in general, makes me entertain no very favourable Opinion of the Issue. I trust in God, however, that Time will evince my Conjectures to be erroneous.

"As being a Piece of Intelligence which corroborates what we have been made acquainted with ^{Mahrattas} by General Goddard's Letter, concerning the Failure of our Peace Negotiations with Mahurratahs *, I shall here transcribe what, by Accounts brought from Hyder's Camp, I am told is the Substance of a Letter which he has lately received from Nurfing Row, his Vakeel at Poonah.

"I have acquainted you of Hulkers having come hither because of Sickness; he is now recovered, and returned to Camp. The English Army is now encamped near the Village of Pecona Willy; there has been no fighting of late, and there is no Appearance of Peace. Nanna Furnels sent for me, and spoke to me as follows: I see no Hopes of Peace taking place between us and the English. They told me that every Thing should be settled agreeable to our

^{do} Wishes, but they was * not upon the Strength of that Assurance. I was for some Time disposed to coincide with them, but the Whole has been an empty Promise. For these Reasons I shall write a Letter to your Master, and do you also write a Letter to the following Effect. That in the Space of Two Months the rainy Season in this Country will commence, and we shall both (alluding to the English and themselves) go into Cantonments; whatever is to happen will be after the Rains; conformably to my Engagements I shall then send to him 5,000 Horse under Mullanjee Rosly; that it is incumbent upon him to send the Money agreeable to his Engagements; and do you write in such Manner as that it shall be sent. These are the Terms in which Nannah desired me to write. Nannah's Wishes are that Ragonaunt Row should be delivered up to them, and to have restored them all the Countries the English have conquered; but the English do not, and I am certain never will, agree to it. I have gained to your Side Hulker; it will be proper, therefore, you shew him Regard.

"Hyder, upon perusing this Letter, is said to be much rejoiced, and sent for the Gemaastat of Buckinjee, the Banker, and ordered him to provide Bills for Eight Lacks of Rupees; he also sent for One of his Moonshes, and instructed him to write a friendly Letter to Hulker, along with which he would send Jewels and Cloaths.

"I need hardly remark on the very different System which Hyder Ally seems to follow, in order to cement his Interests with the Maharattah Government to that which we have adopted, and so strenuously persist in. Every conciliatory Idea seems to be totally lost in our Actions, as it is in no Respect compatible with the Principles of Policy. It may be agreeable to the Rules usually observed in political Pursuits to be thus severe; but I confess neither my Reason nor my Judgement will allow me to subscribe to the Expediency of its being put to the Test in the present distressed State of our Affairs, and which are daily verging to that certain Ruin which must ensue, if some speedy Means are not taken to avert it, by putting an End to our Quarrels in some Quarter or another.

"The Admiral, in Letters I received from him, dated the 23d of February from Bombay, expressed Sentiments similar to my own, on our Affairs in general, and speaks forcibly of the urgent Necessity there was for an Accommodation with the Maharattas, as the only Thing which could save the Interests of the Company and of the British Nation in India from Destruction. I have often declared, Gentlemen, our total Inability to prosecute the Wars in which we are engaged, unassisted as we have been, and continue to be, by any powerful Native Ally. If we are equal to the Undertaking, your Government must possess Resources both of Men and Money, with which I am totally unacquainted. It was in the Belief that nothing of the Kind did exist, that I wrote my Sentiments to Mr. Holland, your Resident at the Court of the Nizam, concerning our forming a close Connection and Alliance with that Prince, and which having given Mr. Holland my Permission, I conclude he may have communicated to you; I shall only observe, therefore, that if the Sentiments I have expressed, are not exactly conformable to the Opinions which you may yourself entertain of that Policy, and it appears to you defective, you will but do me Justice in imputing it to a Want of more familiar Intercourse in Matters of that Nature, and to an anxious Solicitude for the Public Welfare, assisted by the Conviction that we stand much in Need of a Friend capable of lending us such Aid as he could afford us. The Argument for such a Connection I should conceive, is now greatly strengthened by the Failure of

our Negotiations with the Maharattahs, and by the Probability which our latest Advices from Europe intimate of a Rupture between the United States and our Nation, and which is of that serious Importance, to require that some speedy and decisive Resolutions be come to, in order to counteract and defeat the injurious Effects, which cannot fail to be produced by their uniting with our Enemies against us. The French talk with the greatest Confidence, that a Fleet will arrive in all next Month from the Islands with Land Forces; and it is generally believed that they do not speak without good Grounds: Indeed it seems a Step so consistent with their Interests to undertake, that I cannot help considering it as an Event which will certainly happen. I have had a very intelligent and accurate Account sent me of the State of their Forces at the Isles, by Captain Muncie, but of which I do not transmit you a Copy, as I have Reason to conclude, from what he says in his Letter to me, that he has furnished you with a similar Account.

“ Encompassed by so many Enemies, it is some Consolation to know that we are likely soon to receive a Reinforcement of Troops from England, and which, although destined for another Service, will prove a very fortunate and seasonable Aid to us here.

“ Trusting that the Select Committee at Fort St. George will, agreeable to my Request, furnish you occasionally with such Information, from my Correspondence with them, as may be necessary and material for you to know, I have not troubled you with a Letter since that of the 1st of March, and which, as it conveyed a general Account of the Campaign to that Time, and stated to you, in the most particular Manner, the real Situation of the Army under my Command, as to its Inability to move on any important Military Operation, for Want of Carriage for Provisions, and other Causes, it is unnecessary that I should again trouble you with a Recital thereof, but content myself with telling you, that the Obstacles which then existed are in no shape either remedied or removed, and that I find all my Endeavours to provoke the Enemy to come to Battle, by repeatedly attacking their Horse Camps in the Night, and always killing or taking some of them, unavailing; in short, it is impossible for me, even allowing I had it in my Power to march after Hyder, to bring them to an Action unless he himself chuses it: In this Opinion the General Officers serving under me coincide, and are satisfied that without a Body of Cavalry all my Attempts to drive him from the Carnatic must prove fruitless. I need say nothing more to convince you of the absolute Necessity there is (if to recover the Carnatic is an Object deserving of your Attention) of exerting every Endeavour to obtain a Body of Cavalry: I consider this as one of the chief Advantages to be derived from an Alliance with the Nizam, and hope, for that Reason, that you will at least deem the Subject worthy of your Consideration.

(a) “ I am informed from Fort St. George, by the Select Committee, that they have written to you several Letters, acquainting you with our immediate Want of Money, and of the great Distress we are likely soon to be in for Provisions. The Carnatic as yet has afforded us no Assistance on that Score, nor does any come from the Southern Countries. So completely has Hyder, by his Immenity of Cavalry, possessed himself of the Country, that it is with Difficulty the Garrisons, still in our Possession, although the Numbers they contain are very small, find Subsistence; and wherever the Army goes, the Enemy's Horse precede its March, plunder the Inhabitants of the little which may have been left them, burn their Villages, and lay waste the Country all round, so as hardly to leave a Straw to feed our Cattle with: This is a Mode of making war which must in the End reduce us to the most imminent Distress, unless some speedy and powerful Exertions are made to extricate us.

“ I need hardly remind you of the Encrease of Expences in both Money and Provisions, which will ensue on the Arrival of the Detachment under Colonel Pearce, the Sufferings of which have been most calamitous; I shall not dwell upon them, as he has, no Doubt, made you himself fully acquainted with them.

“ The Bombay Government have, as I observe by their Letter to the Select Committee at Madras, written to you of their having reduced the War on that Side to the System of Defence, and resolved, in Consequence, to send me round the Detachment of Troops from this Coast, which were serving with General Goddard; and I expect them accordingly on Board the Squadron, which I hope will arrive in a few Days. It was high Time that the Company should be relieved from the burthenome Charge of our Military Operations on that Side; which, if I am rightly informed, have cost them from first to last Two Millions of Money. Whether the Countries they have thereby obtained will compensate for so large a ready Money Disbursement, and prove a Cure for the other Disadvantages to which it has subjected their Affairs, is a Question which must be left to Time to determine.

“ Left it may not have come to your Knowledge, and as I think it is a Circumstance from which, in your future Intercourse with the Maharatta State, some Advantages may be derived, I beg Leave to acquaint you, that Mahdea Sindea and Hyder Ally have a rooted Aversion to each other; and that the former was by no Means cordial in giving his Assent to the Treaty which subsists between the latter and the Poonah Government, and upon the Faith of which I understand, that the Minister Nanna Furness, who is devoted to Hyder from selfish Motives, objected

to that Article in our Terms of Treaty which was to bind them to unite their Forces with ours against Hyder Ally. If this is the only Obstacle to an Accommodation taking place between us and the Marharattah State, I submit it to your Judgment, whether, situated as we now are, it might not be good Policy to leave that Article out, and so make Peace. I will not conceal from you my Reason for this Suggestion; and which is, that I fear when once the Season for another Campaign returns, we shall not be able to preserve entire what Reputation and Advantage we may have gained by our late Conquest on the Malabar Side. Hence follows the Argument, that it will be more creditable for us to relinquish, on Terms of Accommodation, what we may otherwise be obliged to do by Force. (a)

"Camp, Newtown,
27th April 1781.

"I have the Honour to be, &c,
(Signed) "Eyre Coote."

The Counsel for the Defendant stated, that upon this Head of Evidence, they meant to have next produced, an Extract of a general Letter from the Committee of Secrecy, dated the 31st May 1781, but not having yet had it communicated to them from the India-House, they should postpone it for the present, and proceed to a Letter from the President and Council at Madras, to the Government at Bengal, dated the 13th of May 1781.

Read, the following Extract of a Consultation of the 14th of June 1781, beginning at Page 1656 of the same Book.

"Fort William, the 14th June 1781.

"At a Council; Present,
The Honble. Warren Hastings, Esquire, Governor General, President;
and
Edward Wheler, Esquire.

Lieu' Gen' Sir Eyre Coote K. B. absent on Command at the Presidency of Fort St. George.

"We cannot too warmly express our Thanks for the Relief you have so zealously afforded to the Necessities of this Government, in supplying us with Money and Provisions; and we feel the more indebted for your Attention to our Wants, when we reflect on the Distress which, without these Aids, we must inevitably have experienced, and of which we give ample Proof in assuring you, that we yet stand in great Need of your Assistance.

"Enclosed we transmit to you a List of such Articles of Provision and Stores as our further Necessities demand, and which we hope you will be able to find us in the Months of September and January, as we are concerned to inform you, that the Situation of the Carnatic is such, as makes us fear our whole Dependence for Supplies of Grain must be placed on Bengal and the Northern Circars. (b)

(Signed at the End of the Letter)

"Fort St. George,
13th of May 1781.

"Charles Smith, &c. Council."
(And the End of the Consultation)
"Edward Wheler."

To shew, that a Famine actually took Place at Madras, and the further Distresses of that Settlement,

Read, from Book 518, already delivered in, the following Extract of a Consultation of the 3d July 1781, beginning at Page 37 of the same Book.

"Fort William, the 3d July 1781.

At a Council; Present,
The Honourable Warren Hastings, Governor General, President;
and
Edward Wheler, Esquire.

Lieutenant General Sir Eyre Coote absent on Service at Fort St. George.

"Enclosed we transmit to you, Duplicate of our Letter of the 13th May, with its Enclosures; together with a List of Stores and Provisions. From a Report made to us by a Committee of Civil Servants appointed to superintend and controul the Sale of Grain, we have the Mortification to learn, that our present Stock will not, even with the most rigid Economy, last above two Months from this Time. With so melancholy a Prospect before us, we cannot be too earnest in soliciting every Exertion in your Power, to avert the dreadful Calamity with which we are threatened. We entreat of you, to be assured, we have not in the least exaggerated the Picture of our Distress; and that unless our Wants are speedily supplied, a very considerable Part of the Colony must perish by Famine.

(a) Vide supra Appendix, N° CCXLV.

(b) Vide Appendix, ibid.

" In Regard to Money; we must observe, that we have not received the least Assistance from any Quarter since our Letter of 13th May, excepting a small Sum destined for Bombay, which we were under the Necessity of detaining; of Course our Difficulties have daily encreased: The Troops in the Field as well as this Garrison are two Months in Arrears; every Allowance to the Members of Government has been stopped for the last ten Months, and the Civil Servants have received neither Pay nor Allowance of any Kind since the Month of October last. The Bills we have drawn on you have not supplied us with any Ready Money, having been either to pay for Cargoes of Grain and Freight of Provisions sent to Cuddalore, for the Use of the Army, or to discharge a Part of the Balances due to the Contractors for the Fortification and Repairs, Military Store Keeper, and Agent for the Army, and for which Purpose we have likewise at different Times appropriated no less than 1200 Candies of the Company's Copper, as without these Advances they could not possibly have carried on the Business of their respective Employes. A very heavy Debt still remains, and upon the most moderate Calculation, it will require 500,000 ^l to free us from our Incumbrances, including the Civil and Military Establishment, to the End of this Month. The Arrival of the Bengal Detachment, will not only add to our Distresses, by the additional Expeniture of Provisions, but also in the Article of Money, as we do not find that any Fund has been provided to answer its Demands. In Addition to what we have already said, it may not be improper to transcribe for your Information, a Paragraph of the last Letter we received from Sir Eyre Coote, in these Words, ' I am most heartily concerned for the Difficulties you experience in obtaining Money, the more so, as I see the fatal Consequences which must ensue, should we fail in paying our Troops. They already begin to murmur. Seeing that it is of the last Importance to our Interests in India, that they should, whilst engaged in actual Service, be kept quiet and faithful, every Means ought rather to be adopted than their Discontents should be allowed to rise to a Height which would endanger the State, and we might find it difficult, perhaps impossible, to suppress.' "

" Thus have we set before you the true State of our Finances. The Want of Money in an Exigency like the present is an Evil which, if not corrected in Time, aims a deadly Blow at the dearest ^{*} Interests of the Company. To you we need not expatiate on the Subject, nor can we doubt but you will afford the amplest Relief to our Necessities, without which the Army must be disbanded, and our Ruin on this Coast will then be inevitable. ^{* Sic in Orig.}

(Signed at the End of the Letter)

" Fort St. George,
11 June 1781.

" Charles Smith.
Sam^l Johnson."

(And at the End of the Consultation)

" Edw^d Wheler."

Read, also, the following Letter from Mr. Charles Smith to the Governor General, dated 5th June 1781, already delivered in.

" Dear Sir,

" I have been in anxious Expectation of hearing from you for this Month past. I can only account for my not having that Pleasure, by supposing that your Letters have been intercepted by a Party of the Enemy's Horse, which are committing Depredations [†] between this and Nellore, and have prevented our receiving any Advices from the Northward since the 26th of April. ^{† Sic in Orig.}

" I have already so fully represented our Distresses for Money and Grain, that I have nothing to add on these Subjects, except it be to assure you, that they are now arrived at such a Height as to preclude all Hopes of carrying on the War, if we do not receive from you ample Supplies of both, and these speedily.

" Before this can reach you, I doubt not you have received Advices of a Relief having been sent from Bombay, for the Garrison of Tellichery; and that the Detachment under Major Corgrave has been withdrawn and conveyed to Cuddalore, where Sir Edward Hughes, with the Fleet, arrived the 25th ultimo; also, that the Situation of Affairs on the Malabar Coast did not admit of Colonel Brown's Detachment being sent round.

" General Sir Eyre Coote marched with our Army on the 26th ultimo, towards Trivedy, with a View of beating up Meir Saib's Camp, and also of drawing off the Enemy from the Siege of Tyagar, which has been, for some Time past, closely invested. Hyder, with his main Army, has re-crossed the Coleroon, and, it is said, intends to take up his Ground between our Army and Tyagar. I have no certain Accounts yet from Cuddalore, of what General Sir Eyre Coote has been able to effect:—it is reported, that he returned to Cuddalore on the 2d.

" I hope Colonel Pearce has duly advised you of his March, there being no Interruptions to Tappals beyond Nellore, as the River Kistna swells about the 10th of this Month; I hope to hear in a few Days, that he has arrived with his Detachment and Two Circar Battalions at Nellore, where he can remain in Safety, until further Orders, as we have sent a strong Detachment there from hence, with Cannon and an ample Supply of Military Stores.

" The Board have put the Management and Superintendancy of Grain under Three senior Servants, but all their Care will not avail much, as, with the strictest Economy, and curtail-

ing the Quantity customarily allowed for daily Consumption, the private Stock cannot hold out Six Weeks: When we are obliged to break in on the Company's Store, I apprehend the worst Consequences. I wrote you so pointedly on this important Subject by the Dartmouth and Rochford, that I flatter myself both these Ships will bring us a Supply. We have no certain Prospect of receiving Succour except from Bengal, as it is quite uncertain when Hyder may move from the Southward; and very little can be expected from our northern Settlements in September. The Vessels usually employed at those Ports, are not constructed sufficiently strong to encounter bad Weather.

"As you are fully acquainted with our Situation and Resources, it is superfluous my animating further on these Subjects, being perfectly convinced you will take every Means in your Power for sending us speedily all the Grain for which you can procure Tonnage, and whatever Sum of Money you can raise; without these, we must be ruined, and both Civil and Military be driven to Despair. Words cannot express to you what I feel, or convey to you an Idea of my Situation.

"The Squadron is now here, taking in Water, Provisions and Stores, which may be effected in about Ten Days. Sir Edward intends to sail as soon as is possible, and take a windward Station, so as to be able to intercept the Enemy's Squadron, should it come near this Coast.

"We shall dispatch to you the Lively Brig, Captain Forrest, in a few Days; and Sir Edward Hughes informs me, he shall order the Nymph Sloop of War to Calcutta soon after; by these Conveyances I propose to myself the Pleasure of writing to you more fully.

"I have the Honour to be, with Esteem,

"Fort St. George,
5th June 1781.

Dear Sir,

"Your faithful humble Servant,

"Charles Smith."

"Honble. Warren Hastings, Esquire.

Read, also, the following Letter from Mr. Smith to the Governor General, dated the 13th June 1781, already delivered in.

"Dear Sir,

"I did myself the Pleasure of paying my Respects to you last, under Date the 5th Instant, and now forward you a Duplicate of that Letter.

"Agreeably to the Permission given to the Committee, in your Letter of the 26th February, they have applied to Sir Edward Hughes for a Frigate; in consequence, the Nymph is now dispatched to Calcutta, and I trust will speedily return to us with an ample Supply of Treasure, to enable us to carry on the War, and to save us from inevitable Destruction: The Committee write so copiously on the Subject of Money and Provisions, that nothing remains for me to say, but to reiterate to you our urgent Distresses, and the melancholy Prospect we have before us, unless speedily and effectually relieved by you. The Stock of private Grain cannot hold out longer than the End of July, and if we are still to continue to feed the Army from the Store of the Garrison, God only knows what will become of the Inhabitants of this Colony, as, in that Case, we shall be able to afford them but little Relief; in short, our whole Reliance is on you, dear Sir, and I have full Confidence you will do every Thing you can to assist us.

"We have no certain Information respecting the Bengal Detachment; the Nabob informs us he hears it has crossed the Kistna, in that Case I hope it is at Nellore; but of this you must be fully informed by Colonel Pearle.

"Sir Edward Hughes having completed the Squadron with Provisions, Water and Stores, proceeds to the Southward this Evening, to take a Windward Station, that he may be in Readiness to intercept the French Fleet, should it come on the Coast; in his Way he calls at Cuddalore in order to co-operate with Sir Eyre Coote, in every Thing he may propose for the good of the Service, as far as Circumstances will permit. Sir Eyre has it in Contemplation to make an Attack on Chillumbrum, for which Purpose we send him, at his Desire, four battering Cannon, on Board the Squadron: But Report says, Sir Eyre was to march on this Expedition as Yesterday; of this however we have no certain Information. We are ignorant what are Sir Eyre's future Intentions, or in what Manner he proposes to form a Junction with the Bengal Detachment; it is a Matter of very serious Moment, and the longer Sir Eyre remains in his present Situation, the greater, I fear, will be his Difficulties; I can only say that the Committee have done every Thing within the Compass of their Abilities to answer all his Wants and Demands; more cannot be expected.

"The Board, I believe, mean to dispatch the Grosvenor for Europe in all next Month; should you have any Advices to go by her, I hope they may be here by that Time. My Health has been so much on the Decline for these two Years past, and I have had so many severe Attacks of a bilious Fever, that I fear I shall be under the Necessity of taking my Passage on Board the Grosvenor; indeed by that Time I think it more than probable that a Governor may be arrived from England, as I conclude one must now be on his Way to India.

"In the hopes of hearing from you soon, I have the Pleasure to subscribe myself,

"Dear Sir,

Your very obedient

Humble Servant,

"Charles Smith."

"Madras,
13th June 1781.

Read, from Book 518, already delivered in, the following Extract of a Consultation of the 24th September 1781, beginning at Page 213 of the same Book.

“ Fort William, the 24th September 1781.

“ At a Council; Present,
Edward Wheler, Esquire.

The Honble. the Governor General absent on a Visit to the Northern Provinces.
Lieutenant General Sir Eyre Coote absent on Service at Fort St. George.

-- We know not in what Words to describe our Distress for Money; nor can any Conception you can form of it, exceed the Reality. The Permission you have given us to pass Drafts upon you, has not yet proved of any Avail; and though we have directed the Chief of Surat to endeavour to negotiate Bills in that City, we do not find he has met with any Success, the Shroffs having advanced all the Money they could procure for General Goddard's Drafts; and we had given particular Orders to avoid a Competition to prevent the Exchange being raised. We must therefore entreat, that you will fall upon some more effectual Method to supply us, or our Distress must increase to still more alarming Extremity. For many Months our usual Resources will not be productive. (a)

“ Bombay Castle,
3d July 1781.

“ We are, &c.
(Signed) “ President, &c. Committee.”

The Counsel for the Defendant informed the House, that the above Document was the last they should produce at present upon this Subject, prior to the Time of the Defendant's going up to Benares; but that they should read One more on this Head on a future Day.

“ Then the House adjourned to the Chamber of Parliament.

(a) Vide Appendix, N° CCXLVI.

Die Mercurij, 9^o Maij 1792.

THE Lords being in their Places, the House resumed, the usual Proclamations made, and the Defendant appearing at the Bar, the Lord Chancellor informed the Counsel for the Defendant, they might proceed with their Evidence.

The Counsel for the Defendant stated, That they should proceed to prove the Distresses of the Army under Major Camac's Command, about the Period of November 24th 1780, by producing a Letter from Major Camac, to the Defendant, of that Date; and desired Major Scott might be again called in to prove the Hand Writing.

Major Scott was accordingly called in, and a Paper being shewn him, he was asked,

Q. Is that the Hand Writing of Major Camac?

A. The Beginning of the Letter is, and the Signature.—Part of the Middle, an Extract, is a different Hand Writing.

Q. (*Cross examined*) Do you know whether this Letter was communicated to Cheit Sing?

A. Not in the least.

Then the Paper was delivered in; and the Counsel for the Defendant desired the same might be read.

The Managers for the Commons objected to so much of the said Paper as was not proved to be of the Hand Writing of Major Camac being read; and

The Counsel for the Defendant being heard in Answer,

The Managers for the Commons waived their Objection.

Then the same was read as follows :

§ (“ Dear Sir, “ Camp at Narwar, 24 November 1780.
“ I have long forborne writing to you from the many disagreeable Circumstances which have happened of late, in Hopes of being able to give you an Account of having extricated ourselves from them; and from the same Motives, forbore sending you the Two Letters which accompany this, as I had before they were dispatched heard many suspicious Circumstances of the Ranah's Conduct, and I wished to certify them first; besides, as it was out of your Power to give me immediate Relief, I did not wish, amidst the Number of untoward Events which have lately appeared, to give further Embarrassment to your Mind, by telling you of the disagreeable Circumstances with which I was surrounded. The following Extracts will shew you them in Part, and thank Heaven they are now all obviated, having been able to divide 70,000 Rupees among the Troops, and I firmly believe, they will heartily go on, and are impatient for a little plunder in Malva.”

“ Extract of a Letter received from Lieutenant Hicks, dated Sippera, the 2d November /80.

“ The Ten or Twelve thousand Rupees, now on the Way to this Encampment, I look upon to be of very little Consequence—of what Use can such a Division be to Troops so much in Arrears, who are Sevenfold in Debt to the different Banneahs, and to pay an Interest for the same, which, will * Usury beyond Conception; what present Exigency can such a Supply serve • Sic in Orig.
“ but to multiply their Fears of what they are to expect, in future, the further they are removed from our own Provinces?

" We arrived at Sippera this Morning, and, in respect to Grain, we now have the Appearance of Plenty and reasonably cheap; unfortunately there is no Circulation of Cash to produce fresh Supplies: It is necessary that the Banneahs should be provided with that Article, to collect Provisions cheap for daily Consumption; for, as I have before observed, I do not think it is in their Power to advance a Sufficiency for the required Demands. I really think you have a difficult Game to play at this Crisis. Your Reputation as a Soldier is at Stake; the Good of the Company is hazarded on the Success of your Campaign; and the Whole depends on the absolute Produce of intrinsic Value to the Troops which are to support your Cause. This Observation of mine does not proceed from mere Speculation or local Circumstances, it is from general Observation, it is from general Complaints. I am, however, happy to tell you, that we have had much less Desertion since I wrote to you last, than could be expected from the Sepoys Behaviour prior to that Period; but Reasons can readily be assigned for it. The Two Centre Battalions with us have, I believe, received some Money recently from their respective Captains, and it is principally on their Account and Steadfastness that the Flank Battalions have behaved so well. I understand that the 2d Battalion (Mr. Clarifs) has only lost Two or Three Men by Desertion since they left Gualier. But we must not rest contented here, or suppose that they will remain so much longer, for I have learnt, and am apprehensive there is too much Truth in it, that the whole Line have come to a Resolution, by frequent and private Assemblages in the Night, to proceed no further on such a precarious Service; they have been heard to say amongst themselves, that they have no Doubt, were they in the Vicinity of our Provinces their Arrears would be soon discharged; but what Probability can there be of such a Measure taking Place the more they retire from them?

" There may be but little Truth in all these Reports; and the Troops may move from this Place, as they have done before, but what dreadful Consequence it will be to you if it should happen otherwise?"

• " Extract of a Letter from Lieutenant Hicks, dated the 7th November 1780.

" I understand that Captain Johnston is going to dispatch a Letter to you, and therefore once more I trouble you on the Score of Provisions; what we have here to depend on is from Six Hours to Six Hours only: If perchance this slender Method should receive a Check, God knows how Matters would turn, for Hunger, at this Time in particular, would in all Probability create Mutiny."

" Extract of a Letter received from Captain Johnston. Sippera, Nov. the 9th, 80.

• Sic in Orig. " Now we are talking of moving, I must beg leave to tell you, that every Person here * are in the greatest Distress for it; every Soul is complaining, and a general Discontent reigns all throughout.

" Captain Adderly reported to me this Evening, that his Grenadier Company told him that they were starving, and were not able to take up their Arms or do their Duty; that they had sold and pawned every Thing they had, to subsist themselves, and that now they had neither Money nor Credit, and that they could not live any longer if they were not relieved. I wish, therefore, that you would send me that 12,000 Rupees you said you had; it will do something if it is only to give in the Buzar, but it must not be offered as Pay.—I declare to you, I do not believe the Troops would go on with you, if you were even to advance, until they were paid. I assure you I should be afraid of the Consequences.

† Sic in Orig. " From the above Paragraphs you will see the State of the Troops, and how necessary it was to keep them in Temper.—It is little better in our Camp, especially in the Light Infantry, who having comfortable Habitations in Bahar, and having made Fortunes in the Service, were more discontented than the rest. Seventeen of them were plundered by a Zemindar, and one of their Servants, who returned to Camp, informed us, that he had taken Fifteen or Twenty Rupees from each. The poorest were those that staid, and many were sick for Want, and the Captains obliged to support them by the Day; many went to the Hospital, as they said, through Hunger; Discipline must grow relaxed, and from the Temper of the People, though I have One of the Deserters now under Sentence of Death, I won't put it in Execution for Fear of producing worse. When the Money all arrives, and all are pleased, I will take him out and pardon him, which, I think ‡, do more good than an Execution so long prolonged.—I got † Sic in Orig. some Rupees coined † here, and the Officers lodged all their Plate with me to be coined, if necessary; they gave their Camp Plates, Spoons, and all they had—All mine too went, and it must have had a good Effect on the People to see my Chubdar Stick, and all my Finery thrown into the common Mass for their Subsistence.—The Captains had also some Money, which was also divided, and by one Shift or other I kept them on till the Shroffs arrived from Benares.—I must beg you to take Care of me regarding Money Matters in future.—Our Detachment takes at least a Lack and a Half per Month, exclusive of Contingencies, and there is a very heavy Balance due to Major Popham's Corps at the Time of its Junction. On a Calculation there is due by the 1st of December above Six Lacks of Rupees; and there is to pay this, the Four Lacks ordered from Benares, a Lack which Mr. Purling has granted me on

" Almas

“ Almas Ally Khan, and what I can get from the Subsidy, which, in the present State of Affairs, is not to be counted on. Indeed I don't know when I shall receive the Lack from Almas Ally, and if it does not come soon, I don't know how it can, for the Ranah's Behaviour has been such, that I don't think he will long give us a Passage through his Country, and our only Resource must be Gopalchund at Benares, and it is very doubtful if he can effect it.—I beg you will consider this without Loss of Time, and write to Mr. Fowke and Mr. Middleton on the Subject.—This will set us right in Money Matters, and Col. Morgan and Col. Muir are sending me 500 Drafts to supply the Desertions. Every one, since the late Supply which I sent Mr. Charters to rally at Gohud, seem now quite satisfied again, and wait patiently for the rest. Indeed, Sir, you ought to have let me had my Choice of Battalions and Officers too on this Occasion.—My own old Battalion would have shewn an Instance of Attachment which would have done Honour to them and me, and would have been an Example to all the others. Their Confidence in me too would have given Heart to all the others, as was the Case in my last Command, when you scarce heard of Desertion, though we went avowedly to join Gen. Goddard.”

§
 [“ I am now forced to begin a Subject which I have put off till I am ashamed of myself.—It is with the greatest Reluctance that I enter upon it, and I cannot but blush to find I have been so much deceived.—In short, I am afraid our Friend the Ranah is lost to us entirely.—Those Villains have certainly carried him off from his own and our Interest; Gualin is the Cause of all this—This is the Term they have continually harped on—This has been his Hobby Horse from his Infancy, and he has been persuaded that he is further from it than ever. I wish it was in the Hands of the Marhallah's rather than his, for if he should get it now, he will deem himself more obliged to Nudjef Khan, and the Marhattah's, or perhaps his own evil Counsellors, than to our Faith.—It is a Bone of Contention, and who ever has it must be at Enmity with the Ranah: Nudjef Khan knew this, and by the Help of a little Bribery has made use of this to change a very natural Connection, into an utter Diffidence and Dislike, and the Antipathy and Remembrance of mutual Injuries, which subsisted between him and the Rannah, into a friendly Correspondence, mutual Civilities, and most probably something more. This Bone of Contention is now at an End between the Marhattas and him, and mutual Civilities pass between them openly, and they have managed to make it a Source of Quarrel with us.—I very early gave you my Sentiments on this Head; much has been said and done to satisfy him; but nothing less than the Fortrefs itself, and I don't know whether this would have bound him to us, for his Education has been such, that his own Interest has been, and is, his only Pursuit.

“ But not to anticipate Matters, I ought to tell you my Progress, as far as my Intelligence lay, how all these Things have been brought about. I marched in Two Days from Sallbye to this, when I intended to halt, to keep the Communication open for the rest of the Detachment, till the Rannah came the other Road to Jeercie, which is within Three Cofs of Sipparce. This is the open Road from Gaulin, and on it are Two or Three Marhattah Forts, which he said had promised to surrender on his coming that Way, and which I think they would have done; Sipparce also would have surrendered, and the Suar was to have held the Country on the Rannah's Part, as he says it is in the Sunnud for the Fifty-six Mahals, though it never was in his Families Possession. This would have opened a clear Road into Malva, which no one could interrupt, and a secure Retreat on every Emergency. This has obliged me to halt to preserve the Communication; for the Roads into the Pass winds round the Fort, and is effectually stopped. Not contented with this, the Rajah of this Place has been persuaded, that we intend to take his Fort; and neither my Endeavours and Conciliations, nor his own Interest, can bring about a Meeting, or persuade him to the contrary. His Rage is divided between the Marhattahs, &c. and his Fears of us are such, that he won't come off his Hill to recover it; but he could be of little Use, excepting his Pass.

“ From the Time of parting with the Ranah, I have repeated Accounts of his Determination not to come, but I treated them as I had a Multiplicity of others; he pleaded Sicknefs, and wrote he would fend his Brother. At length the Battalions were countermanded, and his Tents were struck, which had been pitched for his Reception, and he appointed a Meeting with the Rajah of Bhinde at the Jumna Side, when People on the Part of Nudjef Khan were to have an Interview with them. Many People think that these Intrigues originated long before my coming, and commenced on the first Differences about Gualier; perhaps they might, and had been begun, but he seemed as desirous of going into Malva as we were, and had much more Advantage to promise himself by the Expedition. With these Views he certainly wrote Letters along with mine, giving them every Encouragement to join us, which they promised, and sent their Terms to him; but he has hitherto thrown cold Water on them of late. On Sheereen Khan's Arrival from Ochly, his Friend Muzzan Ally put every Iron in the Fire to keep him from joining me, and to throw him into the Arms of Nudjef Khan, by disuniting him with us. Muzzan Ally laboured under Nudjef Khan's Displeasure, whose Servant he was, for bringing about the Treaty with the English; but he has now bribed him to his Purpose. Horrid! that Twelve or Fifteen Thousand Rupees should spoil Plans of more Consequence than Lacks, or the Want of the Application of such trifling Sums should mar such great Prospects! They have told him, ‘ Now, if you want Gualier, is the Time, or never; you have waited so long for Answers, and got no Satisfaction; you

• Sic in Orig.

• see

' see his Eagerness to go into Malva. Rehmhetta writes, that he can do what he pleases. By your
 ' staying you will get Gualier easy; now is the Time to make yourself of consequence, when they want
 ' you; when their Purpose is once served, they will disregard your Representatives. They talk of Malva,
 ' but they will just serve you in the same Manner, and perhaps will keep Gaulier to secure any Ac-
 ' quisitions which they may make there.' ' Why will you march?—They can do nothing with-
 • Sic in Orig. ' out you; prevent any one from joining them them*; and you will carry your Point by staying
 ' in your House, and without putting yourself to any Expence.' This I am well informed was
 literally the Advice of these two Persons, and has hitherto been fully adopted. They added, ' Why
 ' should you be apprehensive? If they attempt any Thing hostile against you, there's Nudjef
 ' Khan ready to support you with any Force you want.' Every Day rendered his Intelligence
 more and more certain; but it is unnecessary to plague with numberless trifling Circumstances.
 At length, a very few Days after my Arrival here, his Vackeel made a Number of formal Requi-
 sitions, from a Paper of Mafauda (a foul Copy,) which came from Gohud. I had Intelligence, that
 this was wrote by Muzzur Ally himself; and on demanding it, to make a Translation from it, was
 acknowledged by every one, to be his Hand. I have now got it, and will send it you for Proof,
 if you chuse. The Translation of it is enclosed. In it, he openly accuses you of equivocating,
 and breaking your Word with him regarding Gaulier. Says he'll go if I'll give him that
 Fortrefs; otherwise he will remain, and starve at home. That if this cannot be, as he has no
 Money, I must pay his Army. The last Proposal was very extraordinary, at a Time when
 we were in such Distress for Money, and when he had just been collecting above 20 Lacks at the
 Desferah. Every Thing was growing worse; our People were stopped every where; beat and
 insulted. All my Applications for Ryparies from his Country were ineffectual, and our Bazee
 stopped on one Pretence or other. All these I bore without shewing the least Resentment; nor has
 there been the smallest Quarrel passed between us. Atmaram continued with me all this Time,
 and seemed as much hurt at the Rajah's out-of-the-way Behaviour as I was; and begged to have
 Leave to go and explain to him his real Interests, and how much he was abused. Accordingly I
 dispatched him on the 15th, though I could but ill spare him from me, as I found him very service-
 able on every Occasion. I have taken these Pains with him for the public Service; and with this
 View have borne every Thing with the greatest Temper, without even reproaching for his Beha-
 viour, in Hopes of being able to set all to Rights on our Meeting. He is certainly of some Con-
 sequence to us at present, particularly in the Operations of this Detachment; but the Intercourse
 with Nudjef Khan and Sindiah makes him think himself more so; and I believe he wishes to make
 us feel it. Atmaram promised to return to me in four or five Days, and that he would actually
 bring the Ranah with him. I gave him the most friendly Letter that I could, for the Ranah; a
 Translation of which is enclosed. The Contents were, ' That on my Arrival at Gohund, I was
 ' much pleased with the Ranah's Behaviour; conceived the best Opinion of him, and gave him
 ' unreserved Confidence; marched to Salbye by his Desire; waited there many Days expecting
 ' his joining me; went to Deogur to him; returned, and marched on in Hopes of his joining
 ' me at Narwar or Jeerce; did not reproach him with a Breach of Promise; begged to put him
 ' in Mind of what the Governor had done for him, when no other Friend was near to support
 ' him; conjured him to come; and desired him to think of the Pain Mr. H. must suffer in
 ' a Disappointment of his Expectations from him; and also to consider the Advantages accruing
 ' to himself from his joining me.' At the same Time, I instructed Atmaram as follows, and made
 him take Notice of it, which he promised to tell him: ' That the Ranah had engaged, in his
 ' Treaty with the Company, to furnish for this Service 10,000 Horse; that in this Respect we
 ' were not strict with him, if he would do what was in his Power, and unite all his Endeavours
 ' for our mutual Good, this would easily be dispensed with; • that till this Time he had con-
 • Sic in Orig. ' tinually kept up my Expectations in Respect,* and accompanied his Words by the most solemn
 ' Promises; that in Performance of this, there was not a single Peon arrived with us. That he
 ' had promised to open the Road by Gazygur and Jeerce to Sippre, whilst I opened it by
 ' Narwar: Failure in which had reduced us to the present Extremities for Grain, and might
 ' have been of much worse Consequence. That the Seppree Mans Behaviour was entirely owing
 ' to him, as it is well known his Vackeel at Gohud offers to submit to him and us. That he
 ' would not pay the Remainder of the Subsidy, though he knew we were in the most horrid
 ' Distress for it; and that the Officers were pawning their Plate to subsist the Troops. That on
 ' the 25th of September, he told me he would, in a few Days, pay me 50 or 60,000, or per-
 ' haps a Lack from the Rutchwagar Revenue; but long since, and my Necessities so pressing,
 ' he has not given me a single Rupee. That the Revenue is said to be Five Lack and an
 ' Half; and he has collected 8 or 10 Annah of this Year, and as much more, which were the
 ' Balances of last. Surely he might send me a Lack at least. That the Pleas of Necessity
 ' which he made use of were very bad, as it was well known that he had great Acces-
 ' sions of Country, and that every one saw that it was in the most flourishing State, and still
 ' more so by the Presence of the Detachment. That it was well known that he had lately
 ' collected at least Twenty Lacks, and had issued nothing to his Troops. That it was
 ' mocking our Distress to ask us in the present Crisis to pay the Expences of his Army
 ' which was to accompany me. But above all he ought to have been more delicate
 ' with Mr. H. than to accuse him of a Breach of his Word, after the many and distin-
 ' guished

guished Favours conferred on him, and how much you had suffered on his Account. That he knows we are in the greatest Distress for Grain, and though I have repeatedly applied, he has never sent me a single Bullock Load. I desired him to advise and explain to him that it was his Interest more than ours to enter into a thorough Co-operation, and a hearty, unreserved Support; that by it he acquires an Establishment, perhaps a Province, or at least secures his own Country in the most permanent Manner, and becomes a considerable Power in Hindostan and the Deckan. That if a Peace comes he will be instrumental in it, and provided for, or declared and acknowledged by the Mahrattas themselves, a free and independant Prince. That by our Exertions and great Successes we gain the more advantageous Terms for him, and by his Breach of Faith and distressing us, we may be obliged to give up Points very desirable to him. He does not know what he subjects himself to by a Breach of Treaty, whereby he loses the Benefit of every Article in it that is for his Benefit. That the Mahrattas want to have Gualier, and demand him as their Zemindar and Vassal. He knows that a Negotiation for Peace is on Foot, and perhaps whilst we are tickling for those Terms for him, he is opposing our Interests. Does he propose by these Means to get Gualier? It is the sure Way to lose it for ever. By his Breach of his Treaty he leaves the Company at Liberty to give it to Nudjef Khan, the Mahrattas, or who they please; the Treaty evidently supposed it to be kept in our Hands till the Peace; his People may for their own Purposes give him one Explanation, and have given another at Calcutta; ought it not therefore to be considered how it is understood? His Vakeel may write him Lies; but he ought not to lose himself for that; that by his Promises he had induced us to keep up and send out this Army, and if he failed, might not the Expences of it be demanded of him; that it would be more advisable in the Rannah, in case of a War with Nudjef Khan, to look forward to get Possession of some of the Jaut Countries, which that Person had ravaged from his own Relations; would it not be more creditable to form Combinations with that Family, or negotiate an Alliance, to get their ancient Possessions and former Splendour; or to support the Jainaghur Rajah in his present tottering Situation? This would raise his Fame, and give him real Consequence among the native Princes of India; that by his Alliance with us we made him our Equal; that if he forfeits it and connects himself, * Nudjef Khan, or the Mahrattas, he may become their Dependand, as he knows both their Views.† All this I wrote down at the Time, and told it fully to Atmaram, and desired him to give to the Rannah as his own Advice and my Sentiments on the present Posture of Affairs, which I have no Doubt of his doing in the most faithful Manner.*

* Sic in Orig.

“ From the above Account which † strictly just, you will comprehend the Situation of Affairs with the Ranah. It is with the greatest Reluctance I have entered upon the Subject, and delayed too long already; I have been so vexed and mortified at the Disappointment, that I could not bear to set down to it. His Behaviour he cannot justify, all he can say on the Subject he doubtless will in his Letters to you, and has done so to me. Up here, in Vindication of himself he abuses us publicly, and we are accused at the Court of Dehly, and with every Potentate here of a Breach of Faith, an Accusation without the smallest Proof; even the Common News has it; would it not be proper to publish a Refutation of it? I am preparing one which shall be sent for your Approbation; I have never taken a Step that could give him the smallest Offence, so that we are on very intimate Terms. In this I have taken Care he shall have no Excuse on my Side for sheltering his Conduct under any Provocation he might have received from me, or be able to shew a Disinclination to accompany me, for Fear of any ill Treatment which he had Reason to expect.

† Sic in Orig.

Whether the Ranah's present Conduct is owing to himself, or the Persuasion of others, it is equally bad. They certainly told him, that by staying out a single Month he would gain all his Views, and bring us to comply with what Terms he pleased. And they thought that this would involve him in some Disagreements or Species of Hostility with us, by which he would be flung into the Arms of Nudjef Khan. Again, I know, partly from my own Experience, and from the Accounts of those who are well acquainted with him, that he attends very little to Advice, but will pursue his own Intentions contrary to every one's Opinion, if he likes it. I thought him the only Exception which I had experienced, in differing from the Zemindary Principles which these Hindoo Rajahs are educated in, but he now appears much the same, and will alter and change as his Interest suits, without Regard to Credit or Decency.

“ He is certainly now a greater Detriment to me than if we had no Connection with him; I had commenced all my Correspondence with the different Chiefs by his Means, and now all is at a Stand; he has intimidated some, and instilled such Apprehensions into the Minds of others, that every one is afraid of us; his Alliance has given him a better Opportunity of abusing us, and telling them that he had found out our Views and Intentions; from this Circumstance I have no Man who has sufficient Influence among them to convince them to the contrary; I am myself a Stranger, and they are as yet ignorant of my Character; I am even apprehensive that he has betrayed our Correspondence with many of the Chiefs, who are partly dependant on Sendiah: To him the Nabob of Bopaul sent some Articles of Conditions, enclosed in a Letter to him, for his presenting to me, and informed me therewith at the same Time, and his discovering this may be that Prince's Ruin. The Dallah, Jansey, and Kaulpee Chiefs are entered into the strictest Alliance with him, and send my Letters to him, before they give me an Answer. This Rajah, though his Country is entirely taken

from him, is terrified from making Proposals to us, and does not scruple to tell privately that the Ranah has forbid him. The Ragoghur Rajah, whose Country is between Sippree and Serouge, is in direct Enmity with Sendiah, and plundered Ambajee, on his Return from Gualier. This Chief had entered into a Connexion by Means of the Ranah, but he now tells me he is afraid of him, and charges me not to tell him any Thing, and seems to wish to treat independant of him: All these last mentioned Discoveries have happened within these two Days.

" Indeed, there does not seem to be a Doubt of his wanting to force us into his Terms, and perhaps worse Circumstances from every Part confirm it; every Officer, every Sepoy or Servant in Camp; his Declarations and Intentions are in every ones Mouth, and the Villagers threaten our People with them as they pass along; thus are we circumstanced regarding this Fortrefs, and if he was to get it now, he would esteem himself more indebted to the Mahrattas, or Neejed Khan for it than to us. In my Opinion, he has intentionally broke the Treaty, and I would rather see it given to either of them than to him.

" I received Mr. Shakespear's Letter, wrote by your Directions, also public Orders to halt, about the Time of my arriving at this Place, but Circumstances were so favourable, that I believe I should have been tempted to go on peaceably to Bopal, to cover that Country, form a Place of Arms there, and make it a Station whence I could offend any Part of the Marhattah State, and keep Sendiah effectually at Home. My first Place was to march to Serough, and from thence, if I found it adviseable, to send two Battalions by forced Marches to Bhopaul, which should follow me with the Bopaul Army on my Way to Augure.

" I will write you more immediately on political Matters in a Day or two, when I expect to receive an Answer to a Letter which I wrote Sindiah; I thought it necessary to do this, to convince him that my halting was from Motives, and not through Necessity.

" I am, dear Sir,

With true Respect and Esteem,
Your very faithful Servant,

" Honble. Mr. Hastings.

" J. Camac."]

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To shew the Apprehensions entertained of the Necessity of suspending the Company's Investments for this Year,

Read, from Book 560, already delivered in, the following Extract of a Letter from Warren Hastings Esquire to the Secret Committee of the Court of Directors, dated 29th November 1780, beginning at Page 254 of the same Book:

" To the Secret Committee of the Honble. Court of Directors of the Honourable United East India Company.

" Honourable Sirs,

" Par. 1. In the present alarming Situation of your Affairs, which their Distance, the long and momentous Interval which will have passed before you can receive the Knowledge of them, and the Diffensions, which are ever attendant on public Calamities, will be so apt to exaggerate, you will probably expect that I should inform you of my particular Sentiments concerning them; and I am the more desirous of conforming to this Supposition from a Belief, too strongly founded, that the Measures necessary for the Preservation of your Possessions and Interests in India, will be inevitably productive of One Consequence, of which you ought to be early apprized, that you may be enabled to obviate it in the Provisions which, I understand, will fall regularly under your Consideration, soon after the probable Receipt of these Dispatches.—I bear too high a Respect for the Characters to which I address myself, to treat them with the Managements of a preparatory and gradual Introduction of an unpleasing Report; and, as it is the only Point of substantial Information which I shall have to convey to you in this Letter, I shall, therefore, make it the first Subject of it.

" The Consequence, to which I allude, is the Necessity to which I foresee that we shall be compelled of making a large Reduction, and, possibly, a total Suspension of your Investment for the ensuing Year.—I cannot pronounce what our Ability may be beyond that Period; this will depend on Contingencies too variable and remote for present Conjectures.—In Justification of the Measure itself, which I have predicted, I must remark, that it will be less an Act of the Board, than, as I have before intimated, the Result of an unavoidable Necessity, in which no Option will be left us, but either to sacrifice the temporary Profits of the Company, or to hazard, for ever, the Existence of all that they possess for the Sake of retaining them. It will be impossible, at the same Time, to provide for the vast Expence which will be required for the Subsistence and Defence of both your other Presidencies, and for an Investment, in Addition to the increasing Exigencies of this Government, and all from its own unassisted Resources.

" We have been already reduced to the mortifying Extremity of borrowing Money at Interest, by which we have raised the Sum of 64,44,601 : 1 : 6. This Resource cannot last—it must cease at a certain Period, and that perhaps not distant; but the Exigency which called it forth, will still remain the same, and must be answered.

" We have no other Fund from which we can defray it, with the present Appropriation of our Means; for, exclusively of the foreign Calls, our own internal Expences have accumulated, and will yet increase, notwithstanding all the Care and Economy that we may use to check them, as we must replace all the Native Troops which we have detached to the Relief of the Carnatic; and as it is to be apprehended that our Revenue may suffer by the large Drafts which we shall be obliged to make of our Current Specie. (a)

(Signed at the End)

" Fort William,
2d December 1780.

" Warren Hastings."

The Counsel for the Defendant informed the House, they should next read Six Letters from Mr. Middleton's Letter Books, to shew the Distress of the several Corps on Service at this Period; their Applications and Orders, to Mr. Middleton to assist them in their Exigencies, and his Inability to afford the Supplies he was required to provide for the Service of the Troops at Benares.

Read, from Mr. Middleton's Letter Book A. the following Letter from Colonel Morgan to Mr. Middleton, dated the 12th December 1780, beginning at Page 24 of the same Book.

" To Nathaniel Middleton, Esquire.

" Sir,

" Captain Dennis, my Brigade Major, will present you with this.

" As you have not sent any Money for the Payment of the Troops under my Command, who, both Europeans and Sepoys, are Three Months in Arrears, and the Paymaster informing me, that you have not provided any Supplies for the Purpose, or made any Reply to his many Applications, authorised by me, I am reduced to the Necessity of this Mode of Application; and I beg leave to refer you to Captain Dennis, who will more fully set forth the disagreeable Necessity that both Officers and Men labour under, which, I hope, will be productive of a speedy Supply, as I cannot be answerable for the Consequences of a further Delay.

" I have the Honour to be,
Sir, &c.

" Camp Cawnpore,
December 12th 1780.

" Jas Morgan."

Read, also, the following Letter from Colonel Muir to Mr. Middleton, dated the 23d February 1781, beginning at Page 65 of the same Book.

" To Nathaniel Middleton, Esquire:

" Sir,

" It is with Concern I find myself again under the Necessity of addressing you on the Subject of Money, but the very distressed Situation of the Troops under my Command obliges me to it; and from the Infantry Paymaster's Information to me this Morning, I am given to understand he will not, from the Bills you sent him, collect a Sum exceeding S^{r} R^{s} 70,000 — —, by the First of the ensuing Month. This will still leave a Balance of the December Abstracts unpaid; nor does he expect the remaining Bills transmitted him, will be paid before the 15th of March. Besides, I must further observe, that your supplying the Disbursement of my Detachment by Bills on Furruckabad, is a Mode, which from the impoverished State of the Place, I am convinced will ever be productive of Disappointments.

" Your Letters in Reply to former Applications, gave me Hopes of a plentiful Supply of Money, under Charge of the Company on Duty with you, long before now; but not being favoured with Advice of its Dispatch, nor the Cause of its Delay, leaves me in a State of anxious Suspense.

" By private Letters from the General's Family, received this Morning, I expect my Orders of March by next Dawk; I must confess that the fatal Consequences which may be reasonably expected from Troops ordered on Service and Three Months in Arrear, strike me with Apprehensions I wish to conceal; in short, Sir, they now are almost in a starving Condition, and I am sorry to say, without a Prospect of any immediate Relief, for Want of a Circulation of Cash in my Camp; the Bannyans have it not in their Power to purchase and bring in the usual Supplies of Provisions; unless therefore you have it in your Power to fall on some Means of furnishing me with an immediate Supply of Money, I can expect nothing but daily and considerable Desertions. Here I cannot help taking the Liberty to observe that, exclusive of the Supply applied for in my former Estimate, and to which Amount you inform me you have (though I am sorry to say at a long Sight) made Provision, Orders on the Collector of Furruckabad, and the Amil of the Doale, for a Sum sufficient to defray another Month's Disbursements, would be a Channel through which I should hope for more punctual Payments than by Drafts on the

Furruckabad Shroffs. Permit me, Sir, to entreat that you will not only dispatch the Company without Delay, with as much Money as you possibly can spare, but that you will also transmit me Orders on the Collector here, or the Aumil, for a further Sum of Two Lacks, or adopt such other Mode of Remittance as you may judge most efficacious to supply my Wants.

"As I am given to understand my Route is to be across the Jumna by way of Stayah, I shall be very happy to be furnished with Bills on that Place, and which I doubt not Almoos Ally Khan will be able to negotiate with great Conveniency to himself.

"Futty Ghur,
23d February 1781.

"I am, Sir, &c.

"G. Muir."

Read, the following Letter from Colonel Muir, to Mr. Middleton, dated the 10th March 1781, beginning at Page 76 of the same Book.

"To Nathaniel Middleton, Esquire.

"Sir,

"By Letters I received Yesterday express from Colonel Camac, Major Popham and Captain Palmer, I am sorry to inform you, that Colonel Camac describes himself in a most distressed Situation, and apprehends the most fatal Consequences to his Detachment, unless immediate and vigorous Measures are taken for his Relief. Major Popham, and Colonel Palmer write me in the most pressing Terms, to march my whole Detachment with as little Delay as possible; and give it as their Opinion, that a less Force will not be sufficient to effect a Junction.

"I have addressed the Commander in Chief, and Colonel Morgan on this Business, and have no doubt of receiving their Orders consonant to the Urgency of the Service and my own Wishes; which latter do most certainly lead me to afford the most immediate Assistance to Colonel Camac and his Detachment. I shall in consequence, in the mean Time, march the Troops under my Command to the Banks of the Jumna; and should I not, on my Arrival there, receive such favourable Accounts of Camac's Situation as to render my crossing unnecessary, I shall in that Case think myself justified in making forced Marches without waiting the Commander in Chief's Orders for that Purpose, being of Opinion that my Delay in the present critical State of Colonel Camac's Situation may be productive of the most fatal Consequences.

"Having thus communicated to you my Sentiments, and the Measures I have determined to pursue, I must in the next Place beg Leave to observe, that the Success of this and every other Service, where the Troops have to look to you for Subsistence, will, in a great Measure, depend on your Exertions: Allow me, then, to request you will order the Subadar last dispatched to you for Treasure to join me with all possible Expedition; and, should I cross the Jumna before he joins, acquaint him that I will leave a further Force at Etayaw, to enable him to come on with Safety; but for my future Supplies, I must rely on you for the best Mode of furnishing me. I calculate the Disbursements of my Detachment at Two Lacks per Month; and, should the Nature of the Service render my advancing to any Distance necessary, a Supply for Two Months at least, exclusive of the Money you are now dispatching, you will not, I flatter myself, deem an unreasonable Demand: And, as I cannot expect to receive it in Specie from you, should I advance to any Distance, I hope you will find it convenient to procure and remit me Drafts immediately, either on Etayn or Gohud, for Four Lacks; from either of which Places I will find it no Inconvenience to convey the Money when realized, by Escorts from Major Popham, Gloalior or Gohud; but, should you find it more convenient to send a Supply in Money, Major Rawlston, who, with his Regiment I leave for the Protection of my present Cantonments, will, on your Application, furnish an Escort.

"Futty Ghur,
10th March 1781.

"I am, Sir, &c.

"G. Muir."

Read, from Mr. Middleton's Letter Book C, already delivered in, the following Letter from the Board to Mr. Middleton, dated 6th July 1781.

"To Mr. Nathaniel Middleton,
Collector of the Vizier's Assignments to the Honble Company.

"Sir,

"The Troops at Chunar, and those under the Command of Major Popham, being greatly in Arrear, we desire that you will furnish Mr. Markham, the Resident at Benares, from the Treasure which may be in your Hands, with as much Cash as will be sufficient to enable the Paymasters to discharge the same. He has been directed to call upon them for Estimates of the Sums required. In case you are unable to comply with this Order, we desire you will immediately acquaint Mr. Markham thereof, that he may inform the Paymasters that you cannot supply the Sums wanted.

"Fort William,
the 6th July, 1781.

"We are, Sir,
Your most obedient
humble Servants,
(Signed)
"Edw^d Wheler."

Read, from Mr. Middleton's Letter Book E, already delivered in, the following Letter from Mr. Middleton to Mr. William Markham, dated the 22d July 1781.

" To Mr. William Markham, Resident at Benares.

" Sir,

" I have just received an Order from the Board, to assist, if it should lay in my Power, to discharge the Arrears due to the Battalions at Chunargur and Mirzapore, and to give you Notice of what Prospect I may have of being able to fulfil this Order.

" I must therefore take the Liberty to inform you, that at this Moment my Ability to do it, from the Funds I possess, is utterly out of the Question, as it is with the greatest Difficulty that I can satisfy regularly the Claims for Money as they come in from the Camps in these Provinces; and further, that I do not foresee any Probability of these Circumstances altering, as my Resources have been calculated as nearly as possible to my Disbursement; and nothing but the greatest Strictness and Regularity can enable me to fulfil my most indispensable Engagement. However, should any more favourable Appearances occur, I shall not fail to inform you of it.

" I have the Honour to be,

" Sir, &c."

" Lucknow, the 22^d July 1781

Read, also, from Mr. Middleton's Letter Book A, already delivered in, the following Extract of a Letter from Colonel Morgan to Mr. John Middleton, beginning at Page 161 of the same Book.

" To John Middleton Esq. Acting Collector, &c.

" Sir,

" I request that you will be pleased to collect as much Money as you possibly can, and send it to this Station, under an Escort from Major Roberts's Regiment; for I have sent down all the Cash that was here to Chunargur with Major Crabb, to release and assist the Garrison therein; and the Want of Money to pay the Troops and procure Provision with, at so serious a Crisis, may prove of very dangerous Consequence. I am greatly surprised that I have not received the least Intelligence from your Brother, or from the Nabob, on such an Occasion.

" Aug. 30th.

" I am, Sir, &c.

" J. Morgan."

The Counsel for the Defendant stated, That having shewn the Communication of the First Demand made upon the Rajah Cheit Sing to the Court of Directors, on a former Day, they should now proceed to shew the Communication of the subsequent Demands; for which Purpose they begged Leave to refer the House to a Letter from the Board to the Court of Directors, dated the 14th January 1780, received by the Swallow, and already given in Evidence (a) by the Managers for the Commons, wherein the Demand made in the Year 1779 was communicated by the Board, and would proceed to shew the Receipt of that Letter by the Court of Directors.

Read, from Book 641, the following Extract of a Letter from the Court of Directors to the Board, dated the 11th January 1781:

" Our Governor General and Council at Fort William, in Bengal.

" Par. 3. We have received your Advices by the Ships Swallow, Southampton, and Naffau, agreeable to the respective Lists of the Packets from your several Departments.

" London,
11th January 1781.

" Tho' Cheap,	" W. Devaynes,
Jn ^o Michie,	L. Sullivan,
Nath ^l Smith,	Jn ^o Woodhouse,
John Harrison,	W ^m James,
W. Mills jun ^r ,	Cha ^r Boddam,
H. Fletcher,	Rich ^d Becher,
Ben. Booth,	J. Stables,
W. G. Freeman,	L. Darell."

To prove that the Subsidy and the Demand of Cavalry, in the Year 1780, were communicated to the Court of Directors,

Read, from Book 560, the following Extract of a general Letter to the Court of Directors, from the Secret Department of the Board, dated Fort William, 29th November 1780, beginning at Page 157 of the same Book.

(a) Vide supra, Page 90.

" To the Honble. the Court of Directors for Affairs of the Honble. United Company of Merchants of England trading to the East Indies.

" Honourable Sirs,

* Sic in Orig.

Cont. 3d and 30th April.

" Par. 35. Our Endeavours have been excited to obtain for * the Nabob Vizier complete Payment of the Company's whole Demand upon him for the last Year, but without Effect. The Distresses of his Situation, and his Inability to attend to the Requisitions made of him, were described in so strong Colours, that we have been obliged to relax, in some Degree, from our Demand upon him for the present, though not without an Expectation that the Claims of the ensuing Year will have been entirely provided for, together with the Debt of the foregoing at the late Settlement. Having strongly recommended to Mr. Purling to urge his Excellency to the Diminution of some large and unnecessary Expences, which we observed in a State of his Finances transmitted to us, we trust that the Advice given him will have a good Effect, and that better Economy for the future, will enable him to discharge his entire Debt to the Company, without Distress to himself. Mr. Purling has lately remitted to us the Sum of Five Lacks of Fyzabad Rupees, which is safely arrived here, and placed in our Treasury.

" 36. We have thought it necessary to require from the Rajah of Benares the same Subsidy for the ensuing Year that he paid in the last, as his Proportion in the Expence of the War. He for some Time hesitated to comply with the Demand, and we were obliged to resolve on Measures of Compulsion; but he has since paid the Amount, and we have stopped the Execution of those Measures. The Support which he receives from this Government, to whom he owes all that he possesses, the known Affluence of his Circumstances, notwithstanding his Pretext to the contrary, and the Interest which he possesses in Chief over all other Persons subject to us, in the Company's Prosperity and Success, have induced us to require of him the Assistance of such a Body of Cavalry as he can spare for the Company's Employ, under a Promise made to him that their Services will not be required beyond the Continuance of the War. We have also strongly recommended to the Nabob Vizier to require from Fyzoola Cawn, the Quota of Troops, consisting of 5000 Horse, stipulated by Treaty to be furnished by the latter, and we do not doubt of his ready Obedience to the Requisition.

(Signed at the End)

" Fort William,
the 29th November 1780.

" Warren Hastings,
Edward Wheler."

To prove the Receipt of the last-mentioned Letter,

Read, from Book 42 already delivered in, the following Extract of a Letter from the Honble. Court of Directors to the Board, dated the 25th January 1782.

" Our Governor General and Council at Fort William in Bengal.

" 2. By the Ships, Duke of Grafton, Walpole, True Briton, and Fox, which happily arrived from St. Helena in Company with the 14 other Ships, mentioned in the accompanying List of Arrivals and Departure of Shipping; we received your Advices in the different Departments, viz. General Letter, Civil, and Secret Departments, dated 29th November 1780.

(Signed at the End of the Letter)

" London,
the 25th January 1782.

" We are
Your affectionate Friends,

" L. Sullivan,	Tho' Parry, *
W ^m James,	Tho' Cheap,
Jn ^r Woodhouse,	John Hunter,
John Roberts,	John Smith,
John Manship,	John Harrison,
W. G. Freeman,	L. Darell, jun ^r ,
W. Bensley,	J. Townson."

The Counsel for the Defendant stated, they should next proceed to prove the Transmits of the above Dispatches to His Majesty's Ministers at Home, in Obedience to the Directions of the Act of the 13th Geo. III, C. 63, Sect. 9; for which Purpose they desired Mr. Owen might be called in;

Mr. OWEN was accordingly called in; and, being sworn, was examined as follows:

Q. Whether the Letter of the 17th of August 1778, the Letter of the 14th of January 1780, and the 29th of November 1780, were transmitted in the regular Course, and laid before His Majesty's Ministers and Secretaries of State at the Time?

A. The Letter from Bengal to the Court of Directors, dated 17th August 1778, was received by the Eagle on the 11th of April 1779; in the List of the Packet by that Ship there is a Copy of the Letter to the Court of Directors, sent for His Majesty's Secretary of State; I believe that

• Copy was accompanied with a Note from the Chairman and Deputy Chairman of the East India Company.

Q. Whom was it transmitted to?

The Witnesses produced a Paper indorsed “ 15th April 1779, Note to Mr. Robinson,
Sir S. Porten,
transmitting Extracts of Advices received from Bengal (3),” and read from the same as follows :

“ The Chairman and the Deputy Chairman of the East India Company, present their Compliments to Mr. Robinson,
Sir Stanier Porten, with Copies and Extracts of the Company's Advices received from Bengal, which they request Mr. Robinson
Sir Stanier will present to Lord North,
Lord Weymouth.”

“ East India Company,
the 15th April 1779.”

• Sic in Orig.

Q. Now inform the House as to the Subsidy of the next Year; The Dispatches containing the Intelligence of the Second Demand, in the subsequent Year 1779?

A. The Letter advising the Second Demand on Cheit Sing, was advised in a Letter from the Governor General and Council, in their Secret Department, to the Court of Directors, dated 14th of January 1780.—A Copy of that Letter was forwarded to Administration on the 2d of August 1780.—I have a Draught of the Note transmitting Copies and Extracts of the Company's Advices, and the Draught of the List of Papers accompanying the Note.

Then the Witnesses produced a Paper indorsed “ 2d August 1780, Note to Mr. Robinson,
Sir Stanier Porten, transmitting Copies and Extracts of Advices lately received from Bengal per Swallow, (749)” and read as follows :

“ The Chairman and Deputy Chairman of the East India Company, present their Compliments to Mr. Robinson,
Sir Stanier Porten, with Copies and Extracts of the Company's Advices, received from the Governor General and Council at Fort William in Bengal, by their Ship Swallow, which they request Mr. Robinson will present to the Right Honble. Lord North,
The Earl of Hillsborough.”

“ East India House,
the 2d August 1780.”

Q. Was it transmitted to both Lord North and the Earl of Hillsborough?

A. Yes.—There was but One Draught, and, in making out the Letters, the Names were changed as Occasion required.

Then the Witnesses produced a Paper, intituled, “ List of Papers transmitted to Mr. Robinson and Sir Stanier Porten,” and read from the same as follows :

“ List of Papers received by the Court of Directors of the East India Company, from the Governor General and Council at Fort William in Bengal, by the Company's Ship Swallow, presented to the Right Honble. Lord North,
the Earl of Hillsborough.”

Then the Witnesses said,

Among other Articles in the List is described a Copy of the Letter—I will read the Two preceding Articles.

Then the Witnesses read from the same as follows :

“ Copy of a Letter from the Governor General and Council in Bengal, in their Secret Department, to the Court of Directors, dated the 3d March 1780.

“ Copy of a Letter from D^o D^o to D^o, dated the 24th January 1780.

“ Copy of a Letter from D^o D^o to D^o, dated the 14th D^o.”

Q. Now inform the House respecting the Letter of the 29th November 1780, containing the Demands of the last Year, namely, of both the Subsidy and the Cavalry?

A. A Copy of that Letter was transmitted to Administration, with a Note from the Chairman and Deputy Chairman, dated 1st November 1781.

Q. By

Q. By Administration, you mean the Secretary of State and the First Lord of the Treasury ?
 A. Lord North and the Earl of Hillsborough.

Then, the Witnesses produced a Paper indorsed " 1st November, Note to Sir Stanier Porten, Mr. Robinson, transmitting Advices lately received (592 B.)," and read as follows:

" The Chairman and Deputy Chairman of the East India Company, present their Compliments to Mr. Robinson, Sir Stanier Porten, and have the Honour to transmit Copies and Extracts of the Company's Advices lately received from Bengal, Fort St. George, Canton, and St. Helena, which they request Mr. Robinson, Sir Stanier Porten, will lay before Lord North, the Earl of Hillsborough, for his Lordship's Information.

" East India House,
 the 1st November 1781."

Then the Witnesses produced a Paper, entitled, " List of Papers received by the Court of Directors of the East India Company from Bengal, Fort St. George, Canton, and St. Helena, transmitted by them to Lord North, the Earl of Hillsborough," and endorsed " List of Papers transmitted to Mr. Robinson and Sir Stanier Porten."

Then the Witnesses said,

This is the Draught of the List, wherein, among other Articles, is :

" N^o 3. Copy Letter from the Governor General and Council of Bengal, in their Secret Department, to the Court of Directors of the East India Company, dated the 29th November 1780."

The Witnesses was directed to withdraw.

The Counsel for the Defendant informed the House, they had now completed their Evidence upon this Subject, and should proceed to a new Head of Evidence, namely, the Subject of the Police; and in the First Place, to prove that One of the Conditions upon which the Rajah Cheit Sing held his Zemindary, was to keep a well regulated Police, they would read an Extract from the Sunnud granted to the Rajah, already given in Evidence by the Managers for the Commons. (a)

Read, the following Extract from the printed Minutes, Page 184.

" He is not to be in the smallest Particular remiss in the Observation and Execution of the several Duties incumbent on him; he is to behave with Moderation and Kindness to the Rayots and People, to promote the Cultivation and Increase of the Inhabitants, and Produce of the Lands, expelling Thieves, nightly Assaulters, and Robbers, and to effectually punishing the Disturbers of the Peace, that no Trace of them may be seen."

To shew, that in Breach of the above Condition, the Police was universally bad,

Read, the following Extract from the printed Minutes, beginning at P. 229 of the same.

" To Thomas Graham, Esquire, Company's Resident at Banaris.

" Sir,

" From the many contemptuous and disrespectful Letters and Messages received in answer to the different Applications made by me to the Fougedars, Aumils, Zemeedars, &c. of Cheit Sing's Country, on various Subjects, I find myself obliged to address you in this public Manner, in Hopes of Redress from your Representation to the Rajah; and in order to shew you their Disinclination to assist the Company, or oblige me, I shall here mention the Heads of two or three Circumstances as I have had occasion to write to them upon. About Sixteen or Eighteen Months ago, a Boat with Two Twenty-four Pounders, belonging to the Honourable Company going to Chunar, was sunk a little above Beerpoor on the Ground belonging to the Village of Seerpoor: In consequence I applied to the Zemeedar of Beerpoor to assist me in endeavouring to weigh the Boat,

(a) Vide supra, Page 184.

at the same Time promising a Reward to such People as he could let me have. Instead of complying with my Request, he returned me an insolent Answer, saying, He had seen many Fringeers, who was he? (meaning me); that he was Rajah Bahadre's Servant, not mine, and would therefore give me no Assistance without his Orders.

" I then wrote to the Fougedar of Imaumabad; who made a Shew of Assistance, by sending thirty or Forty Men. As they could be of little or no Use, I collected together, from Buxhar and Boojpoor, as many as I possibly could, with whom I went and examined the Spot, and found it impracticable, from the Rapidity of the River, at that Time to weigh the Guns, had I been supplied with the Number of People required. On my making known to the Board the Impossibility of their then being got at, I was ordered to fix a Buoy to the Boat, and post a Guard on the Banks nearest to the Place, in order to prevent its being cut away, in Hopes the Course of the River might alter sufficiently this Season to admit of their being taken up. I gave the Command of the Guard to a Naick, who formerly resided at the Village of Seerpoor, as I thought him the likeliest Person to get the Assistance of the Country People when I might want them. The Naick came to me about a Month or Six Weeks ago, and informed me the Buoy and Mast were cut away in the Night by some of the Mullahs, either of Seerpoor, Beerpoor, or Barrow; that if I would permit him to go and reside amongst those People for a Week or a Fortnight, he would find out who cut it away, and by what Authority, as he had Reason to suspect the different Zemeedars, having previously heard that such a Thing was in Agitation. I permitted him to go; and in Ten Days he returned, and informed me, Two Mullahs belonging to one of the Villages told him, they knew the People, but it was as much as their own and their Families Lives were worth to divulge it, as the Zemeedars had threatened the Life of any Person who should inform the Fringeers, adding, the Guns would be useful to themselves, as the English would not possit the Country long. I wrote to the Fougedar Buckt Sing Toukaury, of Serinja Pergunnah, and Meer Aussen Ally of Imaumabad Pergunnah, to deliver up the Mullahs of the different Villages, at least those who had cut away the Buoys. In consequence I obtained an Order on the Zemeedars and Cutwalls for their being delivered up; but the Cutwall of Imaumabad refused, saying, He did not know me; that if I wanted them, or any Thing else, I should fight him for it before I should have it; at the same Time collecting a Mob, he drew his Sword, and made a Cut at one of my People, which he defended with his Firelock, or would most probably have been killed. Upon this being reported to me, I sent a Party of Sepoys, with Orders not to make any Disturbance, but if any Resistance was made, to bring the Cutwall a Prisoner to me. Before the Sepoys could get there, the Mullahs were sent; but those who gave the Information to the Naick, and which were the People I wanted, were not among the Number; upon my enquiring where they were, I was told that one was dead, and the other gone to Calcutta.

" The Practice of drawing their Swords upon my People is very frequent. Whenever I have Occasion to send them into the Country, either for Provisions, Bamboos, Straw, or any other Article I may want for my Garrison, or the Troops under my Command, although I write to them in the most polite and civil Manner for the smallest Article, and never suffer any Person under me to take the Value of a Straw without paying for it; notwithstanding which, they will not supply me with any Thing by Consent, but, on the contrary, abuse my People in the most gross Manner; and frequently, when the Gentlemen belonging to this Station have sent their Servants to purchase Things, they have been beat in a most cruel Manner.

" The Zemeedars of Narainpoor, Beerpoor, and Choulah, make a common Practice of stopping Boats, although they have regular Rowannahs and Passports from Government. On my sending to know the Reasons for their detaining them, they make use of the most disrespectful Invektives against the Company and me; particularly the Zemeedar of Narainpoor, who not long ago confined one of the Chowdries of Buxar for Nineteen Days in Irons, and made him pay for another Man Fifty-three Rupees. Upon my writing him on the Subject, to know why he confined him, he drew his Sword on the Sepoy I sent, and returned a verbal Answer, that if the Chowdry came on his Side the River, he would cut his Nose and Ears off, and make him pay as much more.

" Indeed, from the many Instances I have experienced of the Insolence of the several Zemeedars, and the many Complaints I have made to their different Fougedars of them, I have every Reason to believe they are encouraged by them. I shall therefore consider myself obliged by your procuring for me from the Rajah, an Order for such Articles as I may have occasion for, on my paying the customary Price, as by that Means it will prevent any further Trouble.

" I have the Honour to be, &c.

Isaac Eaton, Capt. commanding."

" Buxar, —

23d May 1779.

" To Francis Fowke, Esquire, Company's Resident at Banaris.

" Sir,

" On the 27th August I did myself the Pleasure of addressing you on a Subject, which I conceived of great Moment to the Company, or at least to me, as it struck at their Authority as well as mine; but it not being taken notice of by you, I should suppose it had not come to hand, and therefore I enclose a Copy, and beg you will on Receipt hereof interest yourself with the Rajah,

to give me ample Satisfaction for such Behaviour, otherwise, in Support of my own Consequence, I shall be obliged to apply to the Board for Redress, or for Leave to do myself Justice; for at present the Inhabitants of this Country are in such a rebellious State, that within a Mile of me they refuse to sell the smallest Article wanting either for myself or for the Troops under my Command, notwithstanding I address them in the most polite Manner, by Letter, for the most trifling Thing. It is but Yesterday the Zameedar of Narainpoor treated me with the greatest Contempt, by throwing a Letter I sent him, on the Ground, and treading on it. The Contents were to request he would send Two or Three Dookaundars with Grain, &c. &c. for the Use of Captain Crawford's Detachment. The Zameedar at the same Time made use of the grossest Abuse against me and the People I sent, telling them, he could raise Four hundred men; that if the Fringees wanted any Thing, they should fight for it. This Kind of Conduct, if not soon put an End to, will be productive of Bloodshed; for it is impossible in my Situation, let what will be the Consequence, to suffer it, or the People under my Command will be spit at as they pass through the Country, and myself insulted at my Fort Gates. Your speedy Reply will much oblige.

" Sir, &c.

" Buxar,
3d November 1780.

Isaac Eaton, Captain commanding."

Read, from Book 582, the following Letter from Sir Eyre Coote, to the Resident at Benares, dated the 1st August 1780, with the Enclosures in the same.

" To Francis Fowke, Esquire.

" Sir,

" Enclosed is a Petition from the Brother and Son of a Soubahdar, who was killed within the Limits of the Zemindary of Rajah Cheyt Sing. I have been informed, that some Inquiry has been made into the Circumstances therein set forth; but request the Favour of you, to exert your utmost Endeavours to render the Investigation speedy and effectual, and to procure full Redress for the injured.

" Chuprah,
1st August 1780.

" I am, Sir,
Your most obedient,
Humble Servant,
(Signed) " Eyre Coote."

" Petition of Birjbaufee Geer, and Umrougeer, the Brother and Son of Lutchur Munger.

(Received 28th July 1780.)

" Lutchur Munger Soubahdar was sent by Captain Eaton, with Two Hundred Recruits, to Major Osborn, at the Village Mulnapore, which is situated at the Distance of Two Days Journey from Benares, under the Government of Raja Chyte Sing: A Dispute arose between the Gowars and Recruits regarding Coolies, and Three or Four of the Recruits were wounded. The Soubahdar had advanced before the Party at the Time of the Dispute; but as soon as he heard the News, returned, and having pacified both Parties, proceeded to the Place of his Destination. After he had travelled the Distance of a Cose, the Gowars were tumultuous on all Sides; and surrounding the Party, held themselves in Readiness, with Swords, Arrows, and Spears to renew the Battle. The Soubahdar made use of many Remonstrances, which the Gowars disregarded; and Ten Recruits died of Wounds which they received from Swords. The Soubahdar, though he offered no Violence, received a Wound from a Sword, of which he died at the Village Kerde, situated at the Distance of a Cose to the Westward of Mulnapore. The Gowars killed Ten Recruits, and wounded Twelve. Those who survived fled, with Monforam Jemaatdar, to Mr. Osborn. The Gowars plundered a Hundred Rupees, which Captain Eaton had given for the Expence of the Recruits, and a Hundred Rupees which the Soubahdar had taken with him to purchase a Horse; also Swords, Jewels, and Wearing Apparel, &c. This happened on the 1st of Bhadeen 1186 Fuffilee, or Eleven Months ago. You are Master of the Country. The Family of the Soubahdar are in Distress. We hope that you will restore the Right to the deserving, and patronage the Family of the late Soubahdar.

(A true Copy.)

(Signed) " H. Vansittart,
Persian Interpreter to the Commander in Chief."

Read, also, from the same Book, the following Letter, from Sir Eyre Coote, to the Resident at Benares.

" To Francis Fowke, Esquire.

" Sir,

" Finding myself under the Necessity of complaining against Meer Suffer Allee, the Foujedar of Bellua, in the Zemindarry of Rajah Cheyt Sing, I request the Favour of your Interposition, both to redress the Grievance, and to prevent such Conduct in future.

“ Captain Eaton, the Commanding Officer of Buxar, detached Three Sepoys to the above-mentioned Village, which is situated near Buxar, on the Frontier of the Raja's Zemindarry, for the Purpose of receiving some Grain, for which he had advanced Money. But the Fougedar, without Provocation, abused them, and afterwards instigated his People to attack them with their Swords, in Consequence of which all the Sepoys were wounded, and one so badly, that his Life is in Danger.

“ The Merit or Demerit of the Sepoys is a Matter which is not now in Point. Admitting that they misbehaved, the Conduct of the Fougedar merits the severest Punishment. For it was not only disrespectful to our Government, to disgrace and wound them, but unnecessary and irregular, as the Fougedar should have complained to Captain Eaton, who would have afforded him ample Redress. But if * he Dividuals are permitted to resist our Sepoys, every little Dispute must be productive of Bloodshed; when the End may be more effectually answered by a Complaint to the Commanding Officer, without the Risque of the Lives of the injured, and without the Diminution of the Consequence of the Sepoys, which it is the Interest of our Government to support.

* Sic in Orig.

“ I therefore request the Favour of you, immediately to procure and transmit to Captain Eaton, a Perwanna, from the Raja, to the before-mentioned Fougedar, reprimanding him for his Conduct, and forbidding him, in the most positive Manner, to suffer any Violence or Resistance to be offered to the Company's Sepoys, as he may always obtain Redress by complaining to the Commanding Officer.

“ Patna,
3d August 1780.

“ I am, Sir,
Your most obedient,
Humble Servant,
(Signed) Eyre Coote.”

Read, also, the following Extract from the Printed Minutes, beginning at Page 231, of the same.

“ To Captain I. Eaton, commanding the Fort of Buxar.

“ Sir,

“ I have but this Moment received your Favour of the 3d Instant. I am ashamed to say, that the Original of the Copy which you inclosed, came to hand in due Time. All I can say in Excuse for my Inattention, is a bilious Fever, from which I am now only recovering, and which, during its Continuance, totally incapacitated me for any Kind of Business.

“ I will immediately apply to the Rajah in the Manner you desire, and represent to him the Propriety of punishing and repressing the Insolence of his Servants, and the Necessity of their assisting the Commander in obtaining Supplies for his Garrison: However, I think I can venture to predict, that a Recrimination is all the Redress I shall be able to procure; and I am convinced that the Interference of the Supreme Council is become absolutely necessary to put a Stop to these Enormities. The Moment I receive the Rajah's Answer, I will give you the Substance of it.

“ The Inclosed will inform you of what has already passed upon this Subject.

“ As I have heard nothing from the Board upon this Subject, I conclude that my Letter has been passed over amidst the Multiplicity of Business in which the General must have found himself involved on his Arrival at the Presidency. I remain,

“ Banaris,
8th November 1780.

“ Sir, &c.
F. Fowke,
Resident.”

To shew the perverse and daring Spirit subsisting in the Natives, upwards of Nine Months before the Defendant went up to Benares, and that the Country was at that Time unsafe for Travellers by Land or by Water,

Read, the following Extract from the printed Minutes, beginning at Page 231.

“ To Francis Fowke Esq.

“ Sir,

“ I have received your different Favours, and have seen the Perwannah, which I am afraid will have little or no Effect, as the whole Country seems to be in a State of Ferment. So lately ago as the 14th Instant, Three Gentlemen, who were proceeding to join the Army, were insulted by the Zemcedar of Beerpoor, who not only beat and bruised their Servants, and afterwards robbed them, but cut one of the Gentlemen with a Tulwar across the Forehead, and other Parts of the Body, in so dangerous a Manner, that he was sent off from Buxar Yesterday Morning, to have the Assistance of the Medical Gentlemen at Patna; but as there is every Appearance of a Fracture, I am much afraid he will not recover. The other Two Gentlemen, after this shocking Accident, returned here, and propose remaining with me until they hear of Mr. Basset (the Gentleman wounded) whether he recovers.

“ Both

" Both the Gentlemen say, the Stroke was made by the Zemedar himself; upon which I immediately dispatched a Serjeant and Thirty Sepoys, who are just now returned, having brought along with them a Parcel of Black Fellows from Beerpoor; but as I have not as yet had Time to enquire into the Particulars, I am uncertain whether the Scrutiny will be attended with the desired Success: I am however resolved to keep the People I already have in Confinement, Prisoners, until I am able to get to the Bottom of this infamous Affair. I request you will inform the Rajah of my Resolution, that he may take the proper Steps to have it cleared up; as this is not the only Instance of the daring and rebellious Spirit of the Natives in Cheit Sing's Districts. The Inclosed will shew you a new Species of Fraud and Extortion, committed by Myup Sing, the Paranparaha Zemeedar, who takes upon himself the Collection of Duties on Boats passing his Station. The Serang, from whom he squeezed Money, has given me the inclosed Account of the Matter, drawn up by himself, and to which I refer you; and am,

Sir, &c.

" Buxar,
17th November 1780.

" Isaac Eaton,
Captain Commanding."

" To the Honourable Warren Hastings Esquire, Governor General, &c. Council.

" Gentlemen,

" As I have ever considered it as an essential Duty incumbent on me, as commanding at this Station, to give every Information in my Power, respecting the proper and regular Manner of distributing Justice, and preventing oppressive Acts and Irregularities, to the Honourable Board; I have embraced this Opportunity of communicating a Piece of Intelligence, which, from the flagrant Circumstances and daring Spirit of the Natives in this Part of the World, requires the most serious Attention of the Honourable Board.

" So very lately as the 14th of the current Month, Three Gentlemen, viz. Ensigns Irvine, Horne, and Bassett, being on their Way to join the Army, were stopped by these Freebooters at Beerpoor, a Village distant from Buxar only Three Cofs. The Zemeedar, at the Head of a numerous Gang, endeavoured and was very assiduous in picking a Quarrel with the Gentlemen's Servants, Two or Three of whom they cut down with Tulwars, and afterwards robbed a Baggage Boat. Not yet satisfied with such cruel and barbarous Treatment, the Zemeedar (as Two of the Gentlemen informed me) made a Stroke at Mr. Bassett with a Tulwar, and cut him so desperately across the Forehead and other Parts of the Body, that he was brought back to Buxar, and immediately sent away to Patna to have the Assistance of the Medical Gentlemen at the Station, though with very little Hopes of Recovery. The other Gentlemen are at present with me waiting the Issue. Immediately on receiving the above shocking Account, I dispatched a Serjeant and Thirty Sepoys in Quest of the Offenders; and Yesterday the Detachment returned, and brought a Number of People Prisoners along with them, which I will lose no Time in examining, and taking every other Step necessary to get to the Bottom of so daring an Insult. So soon as I am able to investigate the Matter thoroughly, I will take the earliest Opportunity of addressing the Honourable Board with the Result of my Enquiry.

" As this is not the only Instance of the daring and insolent, I may almost say, rebellious Spirit of the Natives in almost every District of Cheit Sing's Country, I have officially made repeated Applications to Mr. Fowke, the Resident at Banaris, to represent those Grievances to the Rajah, but hitherto without Effect.

" General Coote likewise addressed Mr. Fowke, in consequence of my Complaint, a Copy of which I send inclosed; also Mr. Fowke's Answer to the General. Some short Time afterwards, I had a Second Occasion to address Mr. Fowke on a Second Insult; a Copy of which I likewise inclose you, with his Reply.

" Since writing the above, I have just had a Third Complaint preferred to me against these People, by a Serang that was stopped by Myup Sing, the Paranpara Zemeedar, who threatened to murder him, if he did not immediately pay 100 Rupees Duty on a Boat belonging to Major Duff, which he at that Time had charge of, and was conducting to the Presidency. The Account, as wrote by the Serang himself, and delivered by him to me, I have inclosed for your Perusal.

" All these Circumstances, properly considered, will evidently shew the great Necessity there is of speedily falling upon some Means to put a Stop to such outrageous Conduct, as at present there is no Safety for the Traveller either by Land or Water.

" I have the Honour to remain, &c.

" Isaac Eaton."

The Counsel for the Defendant informed the House, That, though the Copy of the Letter last read, and which was taken from the Appendix to the Benares Narrative, was not dated, it appeared from the Entry of it on the Public Consultation of 14th December 1780, in Book 33, to be dated " Buxar, 16th November 1780."

The Counsel for the Defendant stated, That they should next read a Letter written by the Defendant, to the Rajah Cheit Sing, on the Subject of the Police, in Consequence of Major Eaton's Complaints.

Read,

Read, from Book 33, already delivered in, the following Extract of a Consultation of the 14th December 1780.

“ Fort William, 14th December, 1780.

“ At a Council; Present,
The Honourable Warren Hastings Esquire, Governor General, President;
Edward Wheler, Esquire.

Pub. Dept.
Thursday.

Lieutenant General Sir Eyre Coote absent on Command at the Presidency of Fort St. George.

“ The Governor General lays before the Board the Draft of a Letter which he proposes to write to the Rajah of Benaras, in Consequence of Captain Eaton's Representation.

“ To Rajah Cheit Sing.

“ I have lately received Information from Captain Eaton, the English Officer commanding at Buxar, of such Outrage and Disturbance committed near that Station by the People subject to your Authority, as surprize me greatly.

“ It is reported to me, that on the 14th of the last Month three English Officers, who were on their Way to join the Army, were stopped at the Village of Burpoore, and insulted by a Gang of Robbers at that Place, that at the truly Instigation * of the Jem ut Dar * at their Head, there was a Quarrel with the Gentlemens Servants, two or three of whom they cut down with Tulwalls, and that afterwards a Baggage Boat was robbed; that not satisfied with this and † savage Treatment, the Zemendar made a Stroke at one of the English Officers with a Tulwall, and wounded him so desperately, that when he was sent to Patna to receive the Benefit of Medical Assistance, there were little Hopes of his Recovery. Shameless and daring as these Instances of Barbarity appear, and shewing as they do, the Weakness of your Controul over the Persons subject to your Punishment, they are nevertheless not only the Proofs of the insolent and rebellious Spirit of the Natives of your Zemindary. The Conduct of Meer Jaffier Ally, the Fouzdar of Bellia, is another Proof of the same Spirit; and I am surprized to understand that although you were desired to do no more on the Occasion, than to send your Perwannah to the Fouzdar to reprimand him for his Behaviour, and to forbid him from permitting any Violence or Resistance to be offered to the Company's Sepoys; afterwards a strong Applications ‡ made to you by our Resident, at the Inclosure of Lieutenant General Sir Eyre Coote, had no Effect.

“ The Intolence of the Jemadar of Naracapa towards Captain Eaton, on the Request made to him by the latter to send some Dokaundars with Grain, &c. for the Use of a Detachment of English Troops comanded * by Captain Crawford, is another Instance of the same Temper in the People of your Country.

“ I do positively require and insist, that on the Receipt of their Letter you do exert your Authority in seizing meer Jaffier Ally, the Fouzdar of Bellia, and the Jemadar of Narrainpore before mentioned, that you cause their Conduct to be strictly enquired into in the Presence of Mr Fowke, who is ordered to have a Munshi employed in taking down the Proceedings of the Inquiry, for the Purpose of transmitting them to me; and I do hereby declare that if the Fouzdar or Jamadar should escape Confinement, or you should not obtain Possession of their Persons, so that the Offenders may be brought to Justice, you shall answer the Event at your Peril. (a)

(No Signature at the End of the Letter)

(Signed at the End of the Consultation)

“ Warren Hastings,
Edw^d. Wheler.”

The Counsel for the Defendant informed the House, That being prevented by the Death of Major Eaton, which had happened during the Course of the Trial, from calling him as a Witness, they should close this Subject here.—That the next Point of the Charge stated the Allegations of the Defendant against the Rajah Cheit Sing, charging him with being disaffected to the Company, and with aiming at Independence, to be extravagant, untrue, and incredible: They would therefore next proceed to prove the Truth of those Allegations against the Rajah, by shewing his Disaffection; for which Purpose they desired Mr. Markham might be called in.

Accordingly WILLIAM MARKHAM Esquire was called in; and, being sworn, was examined as follows:

Q. Are you acquainted with the Hand Writing of Mr. Graham, who was the Resident at Benares?

A. I am.

(a) Vide Appendix, N^o CCXLVIII.

Then several Papers were shewn to the Witnesses; and he was asked?

Q. Are those Letters of his Hand Writing?

A. There is One of the 8th March 1779.

Q. Is that the Hand Writing of Mr. Graham?

A. It is; and there is an Inclosure with it, which is also his Hand Writing. There is another of the 6th of April 1777; another of the 13th of May 1779; and another of the 19th of May 1779. They are all the Hand Writing of Mr. Graham.

The Papers abovementioned were delivered in.

The Witnesses was directed to withdraw.

Read, the following Letter and Inclosure, from the Resident at Benares to the Governor General, dated March 8th 1777, as follows:

“ Benares, 8th March, 1777.

“ Dear Sir,

“ I cannot express to you how uneasy it makes me, being so long deprived the Honor of your Instructions for the regulating of my Conduct: In Answer to this, you may say with Justice, that the Duties of my Appointment are so few and simple that they can hardly be misunderstood, or require your further Advice; this I readily acknowledge; but Matters sometimes occur that I should wish to communicate to you, but which I prevent myself the Pleasure of doing, lest they should be such as you would rather have me silent upon; and lest they might seem to indicate on my Part an unfavourable Disposition towards a Man for whose Welfare I believe you to have a Regard. However, a Circumstance which happened a few Days ago, appears to me in so mysterious a Light, that I do not think I should act the Part of a faithful Servant of the Government were I any longer to conceal it from you.

“ The Rajah, Seven or Eight Days ago, sent his Compliments to me, to inform me that he was going for Two or Three Days to be present at a Feast, which was to be given by One of his Devans, on the Completion of a House and Tank he had built, situated about Six Cofs from Ramnagar. Here he accordingly went, but from whence, after staying a very short while, he set out, with Relays of Horses, to Luttifgur, which is about Six Cofs further distant. From thence he is said to have gone by the same Conveyances to Beechagur, his Strong Hold; where, as well as in all little Forts that lay * in the Roads leading to it, he has ordered Supplies of all Kinds of Stores, and what necessary Repairs may be wanting.

“ In order that you may be the better enabled to judge how far such a Circumstance is worthy of Attention, I enclose you a Paper, containing an Account of Two different Roads leading to the Fort of Beechagur.

“ That the Rajah has any hidden Views in this Manoeuvre, further than to provide for his own Safety in case of Accidents, I cannot bring myself to believe; but, as I conceive it to be contrary to our System of Politics, that a Subject of * Government should render himself formidable even for his own Security; I think it is nothing more than what my Duty requires, to communicate it to you, in doing of which, I flatter myself, you will believe my Assurance, that I am guided by Motives neither of Enmity nor Resentment, and that I have no other Inducement for giving you the Information, than to put it in your Power to interfere in the Matter, if you think it necessary or proper.

“ I have been in Hopes for these Ten Days past, of forwarding to you the Answers of the Pundits, but in which I have been disappointed; however I expect to have them in a Day or Two, as the Rajah's Vakeel has just informed me, that they are rendering into Persian.

“ I have the Honour to be, with much Respect and Esteem,

Dear Sir,

Your most faithful and
much obliged humble Servant,

Thos^r Graham.”

“ The Honble. Warren Hastings, Esquire,
Gov. General, &c. &c.”

“ Account of the Road from Chunargur to Rajah Cheyt Sing's Fort of Beechagur.

“ Sattesgur — 6 Cofs — In this Fort there are Four Guns and a Guard of 200 Men; it is about a Mile in Circumference within the Walls. In going thither you cross Two Mountains.

“ Raje Gunge — 4 Cofs — In this Place is a Guard of Twenty-five Men. In coming hither you again cross Two Mountains and a Nullah, which is now dry, but high, and rapid in the Rains.

“ Saw Gunge — 3 Cofs — At this Place is a small Mud Fort, garrisoned with 225 Men. The Country leading to it is open.

“ Cossimbah

- “ Cossumbah — 7 Cofs — Here is a small Fort built of Brick, fortified with Ten Guns and 300 Men.
- “ Mow Gunge — 3 Cofs — About a Mile from this Place there is a Bridge over the Gogra, and which you pass in going to Beechagur, at which there is a Guard of Twenty-five Men. In coming hither from Cossumbah you pass Three Nullahs, at present dry, but rapid in the Rains.
- “ Beechagur — $1\frac{1}{2}$ Cofs — Situated upon a Hill, in the Center of a Jungle, is surrounded with a Stone Wall about the Height of that of Chunar. It has one large Gateway situated to the Northward, to the Right and Left of which, on the Walls, are planted Eight Pieces of Cannon; to the Southward is a small Gateway, through which none but the most trusty Servants are allowed to pass; on the Right thereof there is One Gun, and on the Left Five; to the South East, in a Line with the Guard House, are Four Pieces of Cannon on the Walls: Altogether there is about Forty Pieces of Cannon in the Fort. In Front of the great Gateway, near the Center of the Fort, is a Pucka Tank. To the Left Hand, as you enter, on the North East Quarter of the Fort, are several Apartments connected together, composing a Treasury, a Zenana, and all necessary Office Houses for the Rajah and his Family to dwell in; to the Left of these Buildings is a small Pucka Tank for the Women to bathe in; to the East and West of the Tank, in Front of the Great Gateway, are Two more Tanks; contiguous to the Western Wall, is a Baith or Connah. To the Eastward, Southward, and Westward of the Fort, at the Distance of Three, Four, and Five Cofs, the Country is hilly, and the Space between, a thick Jungle. To the Northward, is a considerable Bazar, and the Country clearer and more level than on any of the other Sides. The River Soane is about Ten Cofs distant from the South Gate.

“ Road from the Rajah's House, on the Ganges, to Beechagur.

- “ Putteelah — 8 Cofs — The Country leading hither is open and cultivated. Here is a Brick Fort, in which are Four Guns and Fifty Men; Circumference within the Walls about a Mile and a Half. About a Cofs distant is a Hill, on which a Place of Defence is cut out, and a Guard kept in it of 100 Men.
- “ Anrah Gunge — 1 Cofs — At this Place is a small Fort, fortified with Four Guns, and guarded by 100 Men.
- “ Luttifgur — 1 Cofs — The Road from Anrah Gunge hither is a Sort of Pass, and an entire Jungle. The Fort is small, and built of Brick, has Four Bastions, is fortified with Four Guns, and guarded by 200 Men.
- “ Loharah — 4 Cofs — At this Place is a Guard of Twelve Men. The Road from Luttifgur to it is jungly and mountainous.
- “ Beechagur — $1\frac{1}{2}$ Cofs — As far as the Distance of Six Cofs, from Loharah on the Road hither, the Country is open; the remaining Eight towards Beechagur is a continued Jungle.”

To shew, that the Rajah Cheyt Sing was drawing Cannon and Ammunition, and collecting his Forces together, under Cover of the Night, as early as in the Year 1777,

Read, the following Letter, from the Resident at Benares, to the Governor General, dated April 6th 1777, and already delivered in.

“ Dear Sir,

“ Benares, 6th April, 1777.

“ I did myself the Honour of addressing you, under Date the 8th ultimo, acquainting you with a Part of the Rajah's Conduct, which I thought rather mysterious and unaccountable; and submitting it to your better Judgment, to determine, whether it might be proper in any Shape to interfere in the Matter; but have not yet had the Pleasure of a Reply. Nevertheless, an Occurrence which happened this Morning, induces me again to address you.

“ It is my common Practice to ride out of a Morning. In the Circle I took, I met Four Field-pieces of Cannon, apparently Brass mounted on excellent Carriages, together with a Tumbrel finished after the European Manner; and the Whole accompanied with a small Party of

of Sepoys. Upon asking who they were, from whence they had come, and whither they were going, they told me, that they had come from the Pergunnah of Azimgur; that they belonged to the Rajah, and were going to Ramnagur. This Circumstance, though it wore no great Appearance of Suspicion, yet it had the Effect of inciting my Curiosity; and upon my Return Home, I began to make further Inquiries; and was no less astonished that * surpris'd to find, that for upwards of these Eight Days past, he has been drawing his Troops together, from all Quarters, and that, too, under Covert of the Night. And a Man, whom I sent some Time ago to procure me some particular Kinds of Clothes, from Juanpore, writes me, that the Rajah has recalled most of his Troops, both Horse and Foot, from that District, and has given Orders for a considerable Quantity of Gunpowder to be manufactured, and sent him to Ramnagur. These Transactions I thought of Two † serious a Nature, not to wish to be informed of the Meaning of them from one of the Rajah's Family; and as Byaram is his Confident, I have sent for him. When he comes, I will let you know what Explanation he gives of these Movements. In the Interim, I will beg Leave to trouble you with some further Informations, and my own Sentiments thereon.

“ The Removal of his Troops from the Mofussil at this Period of the Season, is evidently incompatible with the Success of his Collections, as the most valuable and considerable Crop of the whole Year is just now reaping, upon a * Security of which, from the Nature of his Engagements with his Renters, and which in general stipulate large Payments in Kind, must greatly depend the realizing of his Revenue. This proves that the Measures he is pursuing are diametrically opposite to his Interest, and that he must have some other Motives to influence his Proceedings; but what these can be I am utterly at a Loss to divine, unless the Rumours of a French Invasion have reached his Ears, and he has resolved to provide for his own Security by garrisoning his Forts, to which he will retire, should such an Event be fulfilled. It has just come into my Mind, that such Intimations may have been given him by a Frenchman who arrived here some Time ago from Lucknow, with Assuphul Dowlah's Perwannah, giving him Liberty to pass through his Dominions unmolested to Patna. It seems however that some Boats of his with Merchandize coming from Gorrickpore had been stop'd * by a Chokey of the Rajah's, on the Dewar, for Duties, on which Subject he had come to solicit his Indulgence. And though I know he has received his Answer from the Rajah, I understand he is still loitering about the Place. In the little Conversation I had with him, I found out that he had been employed in the Carpenter Work in the Nabob's Arsenal, but had, as I imagined, in Consequence of the Proscription against his Excellency's entertaining Foreigners, been dismissed his Employ. This, added to the Circumstance of his proceeding towards Patna, made me pay no further Attention to him; however should he not depart in a very few Days, I shall insist upon the Rajah's seizing him, and sending him down under a Guard to Patna.

If my Suspicions of the Rajah's having obtained the Intimation of a French War through the above Channel are well founded, surely he has not acted the Part of a faithful Subject in not communicating it to me? On the contrary, his taking the Steps he does without asking my Advice, gives us every Reason to doubt his Fidelity. I am the more inclined to put this Interpretation upon it, because for these Five Days past he has not permitted Two Hecarrahs of mine, who I stationed with him to bring me any Messages, and to give me Information of his daily Proceedings, to enter his Durbur—Add to this, his holding frequent Councils in the Night with his Three Advisers, Byaram, Cashmery Mull, and Backraje, none of whom have I had the Pleasure of seeing for these Five Days past.

I should have been apt to have ascribed the Rajah's Conduct to another Cause, had not I particularly interested myself in obviating his Apprehensions. On the Arrival of Lieutenant Dawes at this Place, who is gone by the Orders of the Surveyor General on a Survey through the Hills, and to the Southern Boundaries of his District; learning the Purposes of his Mission, he was alarmed, and applied himself to me; I begged to know his Wishes, and assured them * that as far as they could be complied with, consistently with the Orders which had been given to Lieutenant Dawes, I would intercede for his Satisfaction. He first asked, if his going into the Hills could be put a Stop to; I gave him for Answer that I did not conceive it could, nor could I pretend to propose it. He then expressed a Desire that he should not go into his Forts; to this I replied, I would learn the Extent of Lieutenant Dawes's Orders, and inform him hereafter. When Lieutenant Dawes came to see me, I accordingly enquired of him the Nature of his Orders, and finding that they did not expressly enjoin him to examine, or go into his Forts, I communicated to him the Rajah's Wish, which he readily complied with. Thus I was enabled very soon to allay the Rajah's Fears, and only requested of him, that he would use every Precaution to prevent any Opposition to Lieutenant Dawes in his Journey, and to take Care that his Party was well supplied with Necessaries, for which they would pay. This the Rajah did with great good Will, and by a Letter, which I have just received from Lieutenant Dawes, I learn he is advanced in his Rout as far as Cossumbah, a Place situated in the Hills, on a Line with and in Sight of Beechagur, but about three or four Coss distant, without the least Interruption; so that all the Rajah's Fears on that Score ought to be subsided, as Lieutenant Dawes must by this Time be advanced quite to the Confines of his District, which are not above Ten Coss distant from the aforesaid Place. Besides he himself took

a very effectual Method to secure his Fears against any sudden Surprize, by escorting Lieutenant Dawes with four hundred Matchlock Men, a Number far exceeding the Force with him, which only consists of a Company of Sepoys.

" In Answer to the Summons I sent for Byaram, in the Morning I have received a Letter from the Rajah, telling me that he was employed in some Business with him, but that Backraje would attend upon me in the Evening. However it is now past Nine at Night, and he has not made his Appearance.

" I was desirous of forwarding this Letter to you by to-Night's Dawk, but I shall defer it till to-morrow in Hopes of seeing one or other of the Rajah's Countellors, whose Communications may, as I hope they will, enable me to assign satisfactory Reasons to you for what appears to me as yet a mysterious Conduct.

" April 7th, Nine P. M.

" This whole Day has passed over, and I have neither seen nor heard of any of the Rajah's People; I shall therefore write him a Letter to Night, to favour me with a Visit to-morrow, and if his Answers to the Queries I shall put to him on the above Subject, are not perfectly satisfactory, and whereof you shall be informed, I think it will be but prudent to introduce a Person to him to attend at his Durbar, in the Capacity of my Vackeel, until I am favoured with your Answer, which I flatter myself you will send me in course. I have the Honour to be, with the highest Respect and Esteem,

" Dear Sir,

Your much obliged and most faithful
humble Servant,

" Tho' Graham."

" The Honble.

W. Hastings, Esquire,
Governor General, &c.

The Managers for the Commons desired to know, whether the Counsel for the Defendant intended to produce the Instructions and Orders given to Lieutenant Dawes, alluded to in the Letter just read.

The Counsel for the Defendant informed the House, they were not in Possession of the Instructions, nor were they aware that the same were upon the Consultations.

Read, the following Letter, from the Resident at Benares to the Governor General, dated 13th May 1779, and already delivered in.

" Dear Sir,

" Benares, 13th May 1779.

" Letters received this Day by One of the Shroffs of this Place from Surat, in Twenty one Days, mention the Return of Colonel Goddard from Bombay, and confirm the former Advices of Rogoobah's having advanced near to Borranpore. The Collids who brought these Letters, also mention that they were detained for a Day and Half by a numerous Body of Horse, belonging to Sindy, who had set themselves down near to the Residence of an independant Chief, laying in a Country beyond Jansy, and were demanding of him a Levy of Five Lacks of Rupees, but that he had not then consented to pay more than Thirty thousand.

" The Rajah is very dilatory in paying the Money for his Kist already due; he has still to pay me upwards of 40,000 ^S Rupees on that Account, which I do not expect to receive for these Two Days at least, as the Intelligence I have just received of the Death of his only Daughter will furnish him with a Pretence for that or a longer Delay; whilst he persists in such a Conduct, I see little Prospect of being able to persuade him to lend his Assistance to the Company, by making an Advance of a Part of his Tribute; the Four People, his Advisers, whom I mentioned in my last, are so far from being neglected, or in any Shape degraded in consequence of my Objections to them, that they are become his Companions Night and Day, and encourage him in Thoughts altogether incompatible with his Duty to the Government; such as advising him to entertain more Troops, put his Forts in a Posture of Defence, and to obey no Orders unless immediately agreeable to the Terms of his Engagements with the Company; so far their Advice has had Effect as to induce him to call his Troops from every Quarter, and to distribute them at his Forts and other strong Posts; they have had the Influence to boast to him that with his Riches he may carry Fire and Sword to Calcutta. To accule him of holding such Conversations is only to receive a flat and solemn Denial. As I believe my Authority to be good, it coming from the Old Ranny, I must try some other Method of checking such infamous Intrigues. It has struck me, as there are many heavy Complaints against them, to make use of the Pretence they will furnish me with, of attending each of them with a Hircarrah; this is only a Thought of the present Moment, so that I am not yet determined whether I shall put it in Force, although I see the absolute Necessity of taking some such Step. I shall hope to be honoured with your Sentiments on this Subject as soon as convenient.

" I have the Honour to be, with the highest Respect and Esteem,

" Dear Sir,

Your most obedient,
And much obliged humble Servant,

" Tho' Graham."

" The Honble. the Governor General.

The Managers for the Commons desired to know whether the Counsel for the Defendant meant to produce the Answer of the Defendant to the Letter just read.

The Counsel for the Defendant informed the House, they were not in Possession of such Answer.

Read, the following Letter from the Resident at Benares, to the Governor General, dated the 19th May 1779, and already delivered in.

“ Benares, 19th May 1779.

“ Dear Sir,

“ After repeated Application to Rajah Cheyte Sing, and at last representing to him, that either declining, or delaying further to answer your Letter regarding the Payment of such Part of his Tribute, in ready Money, as I might require, would be esteemed an Indignity offered your Authority, he at last sent me the enclosed Letter. His Motive for this Conduct was, to avoid giving any Testimony of his having assented to an Order which he disliked, and from whence a Precedent might be argued for continuing that Mode of Payment of his Tribute. I know not what his Letter contains; but there is still a Balance of a few Thousand Rupees of his last Kist undischarged. I find great Difficulty in obtaining Bills on Patna; and the Exchange between that Place and this is so high, that the Company must suffer some little Loss in the Remittance. This Circumstance has brought a Thought into my Mind; that as the Benares Sicca Rupees are intrinsically fully equal in Value to the estimated Value of Sonauts, they might, without Impropriety, and without creating any real Cause of Complaint, be issued to the Garrison at Chunar, and to the Paymaster of the Brigade at Cawnpore, at that Rate. In the Event of such a Resolution, the Company would, upon a Comparison with the Amount now paid them in Calcutta Siccas, find themselves Gainers of C. Rs. 65,880 : 5 : 19. The only Charge that would fall upon this Mode of Receipt of the Rajah's Tribute, would be about 130 or 150 Rupees per Month for a Treasury Establishment. When we come to reflect, that the Remittances which I am now making to Patna are, perhaps, intended to supply the Demands for the Disbursements at Cawnpore and Chunnar, we cannot but inveigh against the Absurdity of sending Money to a Distance, which is, in Part, to be applied to the Expences of Establishments more contiguous to the Place from whence it is thus sent, by 150 Miles. I have also written Mr. Barwell on this Subject, to whose, and your joint Consideration, I beg Leave to submit it; and shall only here add, that should you find it convenient to adopt the Plan, it will be doing me a Service.

“ A. The Rajah continues his unbecoming Deliberations. His Troops are daily collecting together; and he is laying in large Stores of Provisions in his Forts.—Operations which either tend to render him dangerous or formidable, ought not, I think, to escape the particular Notice of Government.

“ I have the Honour to be,

With great Respect and Esteem,

Dear Sir,

Your much obliged and
most faithful humble Servant,

“ Tho^s Graham.”

“ To the Honble. the Governor General.

The Managers for the Commons desired to know whether the Counsel for the Defendant meant to produce the Answer to the Letter just read.

The Counsel for the Defendant informed the House, it was not in their Power to produce the Answer, Mr. Graham being at this Time in India.

The Managers for the Commons submitted to the House, That the several Letters from Mr. Graham to the Defendant just read, ought not to be admitted in Evidence.

The House informed the Managers for the Commons, That being a Correspondence upon a public Subject between the Governor General on the one Hand, and the Officer employed at Benares on the other, and the Hand Writing being proved, they were proper to be received in Evidence.

The Managers for the Commons waived their Objection for the present.

Read, from Book 535, already delivered in, the following Letter from the Resident at Benares to the Governor General, dated the 31st July 1780, beginning at Page 301 of the same Book.

“ To

" To the Honble. Warren Hastings Esquire, Governor General, &c. &c. &c.

" Fort William.

" Sir,

" On the 16th of last Month I received a Letter from Mr. Colebrooke, dated the 7th, and enclosing one to * Rajah under your Seal: Mr. Colebrooke at the same Time informed me, that it respected some Bramins in Confinement at Benares; that you had once before written upon this Subject to the Rajah, to which he had paid no Attention, and he desired me to procure an Answer. I am sorry to say that my continual and urgent Applications to the Rajah have been attended with no Effect. He puts off the Business, and the same Answer from Day to Day. I can no longer possibly impute these Delays to any real Impediment. * Sic in Orig.

" I have likewise to acknowledge the Receipt of your Orders contained in Mr. Markham's Letter of the 24th of April, which I received the 7th of this Month. It was delivered to me by one Heenga, a Subadar in the Company's Service, who had complained to you of the Rajah's absolutely refusing to put him in Possession of it, except at a most enormous Increase upon the original Jurnonah. He had even the Imprudence to threaten the Subadar for his Application to the English Government.—I shall say nothing more to the Rajah on these Subjects, till I have the Honour of receiving your further Commands.

" Benares,
31st July 1780.

" I remain,
Sir,
Yours, &c."
(No Signature.)

To shew that the Rajah Cheit Sing was busy assembling his Forces in August 1780, and industriously concealed their Number from Mr. Fowke, the Resident at Benares,

Read, from Book 535 already delivered in, the following Letter from the Resident at Benares to the Governor General, dated the 10th of August 1780, beginning at Page 304 of the same Book.

" To the Honble. Warren Hastings, Esq; Governor General, &c. &c. &c.

" Sir,

" Having received Intelligence that the Rajah had assembled a considerable Body of Troops at Ramnagur, the Place of his Residence on the opposite Side of the River, and that more were coming in from different Parts, I thought it proper to wait upon the Rajah and enquire the Reason. He told me they were intended against a rebellious Zemindar, who was in Arms in the Neighbourhood, and refused to pay his Balances. To prevent the Loss of Lives, and every other ill Consequences of a Fight, I proposed myself to the Rajah as a Mediator, which he declined. I then told the Rajah, that if he pleased, I would write to the Commander at Chunar for a Party of Sepoys, that he might then dismiss his own Troops, and that I was very certain the Zemindar would submit without a Contest to English Sepoys. This Proposal was likewise rejected: he only assured me, that he should not be the first to make the Attack. Though I have no Reason to suppose that the Rajah is assembling his Troops for any other Reason than that which he assigns, yet I cannot help observing, that he assembles them in a secret Manner, and industriously conceals their Number from me. Your Orders cannot arrive in Time for the present Case; but I beg to be honoured with your Instructions for my Conduct in future upon similar Occasions.

" Benares,
10th August 1780.

" I am, Sir,
Your, &c.

" (No Signature.)"

The Managers for the Commons desired to know whether the Counsel for the Defendant meant to produce the Instructions requested by Mr. Fowke in the Letter just read.

The Counsel for the Defendant informed the House they did not.

Read, from Mr. Middleton's Letter Book E. already delivered in, the following Letter from Mr. Middleton to Mr. Fowke, dated the 30th November 1780.

" To Francis Fowke, Esq; Resident at Benares.

" Sir,

" I beg Leave to trouble you with a Letter from me to Rajah Cheet Sing: The Purport of it is to expostulate with him for receiving into his Protection Zalem Sing, the Rebel Zemindar of Amora, and granting him Jaguires within his own Territories.

" If you can urge this Matter to the Rajah, so as to induce him to withdraw his Protection and Favour from this Rebel, you will forward the Company's Business here, and oblige,

" Lucknow,
30th November 1780;

" Sir,
Your most obedient humble Servant,
(Signed) " Nathl Middleton"

Read, from Mr. Middleton's Letter Book A. already delivered in, the following Letter from Mr. Fowke to Mr. Middleton, dated the 10th December 1780, beginning at Page 21 of the same Book.

" To Nathl Middleton, Esquire.

" Sir,

" I have received the Favour of your Letter of the 30th of last Month, inclosing One for Rajah Cheit Sing, to which the enclosed is an Answer; the Rajah absolutely denies either having afforded Protection to Zalem Sing, or granted him any Jageer. I have made Enquiries into the Affair, but have not hitherto found any Foundation for the Charge. I am inclined to think, you have been misinformed. If however you will favour me with further Particulars, as you may receive them, respecting the Spot where Zalem Sing is supposed to be, and the Part of the Country reported to be granted in Jageer, it will enable me to put the Matter beyond a Doubt; at any Rate I shall continue my Enquiries.

" Benares, 10th December,

" I am Sir, &c.

" F. Fowke *."

* See in Orig.

1780.

The Counsel for the Defendant stated, they should next shew, That Zalem Sing, whom Cheit Sing denied he had harboured in his Country, was harboured there; and that he was One of the most active Persons in carrying on the War against the Company.

The Managers for the Commons desired to know, whether the Counsel for the Defendant meant to produce the Answer to the Letter last read?

The Counsel for the Defendant, in Answer, referred to the Evidence itself, as produced.

Read, the following Extract, from Page 229 of the printed Minutes:

" Affidavit of Major Eaton, commanding the Fort of Buxar.

" Isaac Eaton, Major of Infantry, in the Service of the United Company of Merchants of England trading to the East Indies, maketh Oath and faith, That the annexed Papers, respectively marked N^o 1. B, C, D, E, and F, are, as they purport to be, Copies of Letters respectively written and received by this Deponent; and that he did believe, from the best Information which he had received at the Time of writing the Letters, purporting to be written by him, this Deponent, that the Subject Matter thereof was true, and still believes the same to be true. And this Deponent further faith, That he hath at diverse Times written several Persian Letters to the Rajah Cheit Sing, containing Complaints of a like Nature; and that he hath not to this Hour been able to procure Redress from the said Rajah, either on account of the Complaints contained in the annexed Letters, or in the said Persian Letters; and that the said Rajah had at different Times inveigled the Sepoys under the Command of this Deponent to desert and enter into his Service; and that, from the general Conduct of the said Rajah and his People, this Deponent verily believes the said Rajah was disaffected to the English Government, and wished the Subversion of the same. And further this Deponent faith, that he hath commanded the Fort or Garrison of Buxar, on the Frontiers of the Company's Possessions, and next adjoining to those of the Zemindary of the said Rajah Cheit Sing, for the Space of Three Years and Half, and, from his Office and Situation, had frequent Experience of the Disposition of the said Rajah, and of his People.

" Sworn this 9th Day of December

in the Year 1781, before me

E. Impey.

" Isaac Eaton."

Read, the following Extract, from Page 199 of the printed Minutes.

" To the Honourable Warren Hastings, Esquire, Governor General, &c. "

" Sir,

" About the Month of November last, I communicated to Mr. Markham the Substance of a Conversation said to have passed between Rajah Cheit Sing and Saadut Ally, and which was reported to me by a Person in whom I had some Confidence; the Mode of communicating this Intelligence to you I left entirely to Mr. Markham.

In this Conversation, which was private, the Rajah and Saadut Ally were said to have talked of Hyder Ally's Victory over Colonel Bailie's Detachment; to have agreed, that they ought to seize this Opportunity of consulting their own Interest; and to have determined to watch the Success of Hyder's Arms. Some Days after this Conversation was said to have happened, I was informed by the same Person, that the Rajah had received a Message from One of the Begums at Fyzabad (I think it was from Shujah-ud-Dowlah's Widow), advising him not to comply with the Demands of Government, and encouraging him to expect Support in case of his resisting.

resisting. This also I believe I communicated to Mr. Markham; but not being perfectly certain, I now think it my Duty to remove the Possibility of your remaining unacquainted with a Circumstance which may not be unconnected with the present Conduct of the Rajah.

• • “ Lucknow,
28th August 1781.

I am, Sir, &c.

“ Francis Balfour.”

The Counsel for the Defendant stated, they should next read a Letter and Inclosure from Mr. Græme to the Governor General, already in Evidence, but not read by the Managers for the Commons; written at a Place situated at the Distance of a Hundred Miles from Benares, and before he had heard of the Massacre:

Read, the following Extract, from Page 219, of the printed Evidence.

“ The Honble. Warren Hastings, Esquire, Governor General, &c.

“ Honourable Sir,

“ Enclosed I have the Pleasure to transmit a Copy of a Letter I have received from Captain Maxwell, commanding the Battalion at Burragong, with which he has sent me Copies of the Letters written by Baun Sing Roy and Shew Pershaud Roy, to Futteh Saw. These contain ample Proofs of their Guilt; one of them is a direct Information to him of the March of the Troops from Burragong, and an Invitation to avail himself of the defenceless State of Huffsypoor, by coming to that District.

“ I have, in Consequence of these undoubted Testimonies, written Captain Maxwell to seize the Persons of Baun Sing Roy and Shew Pershaud Roy, and keep them in close Confinement.

“ I have not complied with Captain Maxwell's Proposal for disarming the Country People, as such a Measure could not be put in Execution without causing a general Alarm throughout the District, and greatly obstructing the Cultivation; besides which, as no Crime is alledged against any other Person, I conceive there is no Necessity for acting with so much Rigour, which would involve the Innocent with the Guilty, and still leave it doubtful on whom Punishment ought to be inflicted. Though I have deemed it improper to authorise Captain Maxwell to disarm the People, in which I hope for your Approval, I have recommended to him to use every Endeavour to discover if any other Persons, and who, were concerned with Baun Sing Roy and Shew Pershaud Roy, in their villainous Attempts.

“ The Punishment of Futteh Saw's Abettors, within the District of Huffsypoor, will doubtless be productive of good Consequences, by awing those who are secretly attached to him; but it is in vain to expect his Apprehension whilst he receives Protection in a neighbouring Country. I am well informed, that he is now in the Dominions of Rajah Cheit Sing, and that he has been there ever since he was driven out of Huffsypoor by Lieutenant Hutchinson, in the Month of February last.

“ Chuprah,
19th August 1781.

“ I have the Honour to be, &c.

“ Charles Græme.”

“ To Charles Græme Esquire.

“ Sir,

“ In consequence of your polite Attention to my Representation, respecting the Treachery and traiterous Correspondence of Baun Sing Roy and Shew Pershaud Roy with our declared Enemy Rajah Futteh Saw; of their having given him the most perfect Intelligence of every Movement or Step taken to entrap him from this Station; of their having supplied him with Money, and your turning them out of every Employment, I was further induced to attempt the obtaining the clearest Proof of their Guilt, as I could not deem the Punishment already inflicted on them (although the most in your Power) by any Means adequate to their Crimes.

“ Some Time ago, when I had the Honour of mentioning this Subject, and acquainted you with the Hopes I had of obtaining the original Letters from those Men to Rajah Futteh Saw, you was pleased to express your Satisfaction thereat, and offered your Assistance, if this could be effected, of laying the whole before the Honourable the Governor General and Council for their Decision. I have now the Pleasure to acquaint you, that the Enclosed are exact Copies of the original Letters, attested upon Oath, at this Time in my Possession. Should further Proof of their Guilt be deemed necessary, I can take upon me to promise, that the Man employed in carrying Money from Baun Sing Roy to Rajah Futteh Saw shall be produced.

“ I must further beg Leave to lay before you, that while the Country People so entirely attached to the Interests of Rajah Futteh Saw, are permitted to keep Possession of Quantities of Arms, which I have the most certain Information is the Case, he can never be at any Loss for an armed Force to enter and plunder the Country with. For this Reason I would humbly propose my being authorised to disarm every Man in the Country, as the only Destruction to his Hopes, and Means of fulfilling the Intentions of the Honourable Board, in his present Situation, protected and countenanced as he is by Rajah Cheit Sing in his Country, where he now watches for the most favourable Opportunity of returning to his old Practices.

" I have to request you will be so obliging as to lay these Circumstances before the Board, accompanied by this Letter; but should that prove inconvenient, that you will be pleased to acquaint me so, and I will then do it myself through the Commander in Chief.

" I have the Honour to be, &c.

" Burragong,
17th August 1781.

" Robert Maxwell,
Captain commanding at Burragong."

Read, also, the following Extract, from Page 258 of the printed Minutes.

" Affidavit of Major M'Donald.

" John M'Donald, Esq; Major commanding the Nabob Assof-ud-Dowlah's Third Battalion of Sepoys, on Oath saith, That he the Deponent was stationed at Amora, to assist the Aumil in collecting the Company's Tunka, also to protect the Subjects of his Excellency the Vizeer from the Depredations of Zalim Sing, the Rebel Rajah of the aforementioned Place Amora, also the Attacks of others his Adherents: That the said Deponent had been detached by Lieutenant Colonel Hannay, some Time in February 1780, with a Body of Horse and Foot, in Pursuit of the above-mentioned Rajah Zalim Sing, who, besides sequestering the Rents of the Pergunnah, had compelled the Inhabitants to quit the District; and further, wantonly, and without Cause, murdered Two of the principal Cannoongoes of the Pergunnah aforesaid. The Deponent could not come up with the flying Rajah, but followed him until he took to a large Jungle, that bounded the Country of the Vizeer to the Eastward, and is the Westernmost Limit of the Zemeedary of Cheit Sing, Rajah of Banaris. Zalim Sing was there received in the most friendly Manner, and Protection promised him. On this, the Deponent sent proper Spies to watch the Motions of Rajah Zalim Sing, and returned himself with the Troops to his Station at Amora: That the Deponent learned by the Spies left about Zalim Sing, that he was allowed to reside openly under the Protection of Cheit Sing, and had Villages, also Lands, assigned for the Maintenance of himself and Followers. (a)

(At the End of the Affidavit)

" J. Macdonald."

" Sworn before me this 27th Day of November 1781,
" E. Impey."

Read, also, a further Extract, from Page 260 of the printed Minutes.

" The Deponent saith, He believed the Reports as before related at that Time, and still is of Opinion the Threats therein contained were intended to be carried into Execution had the League been successful; nor did the Deponent then (or even at this Moment) doubt but what the Begums at Fyzabad and their Khajahs were in a League with Cheit Sing the Banaris Rebel; and the Deponent is of Opinion that the Whole of the Disturbances that happened in the Parts were he resided, took its rise from the Rebellion of Rajah Cheit Sing; and the Deponent is further of Opinion, that it would not have extended itself so wide in the short Time it really did, had it not been a Matter pre-concerted, and brought to light by mere Chance, ere properly ripe for Execution: And the Deponent further saith, That he is of Opinion, from the many Conversations he the Deponent has held with several Persons, Inhabitants of the Rebel Cheit Sing's Country, that the Rebellion has been meditating even some Years; that the Deponent was informed the Matter was absolutely debated in the Year 1779, and prevented only by the Voice of a Person about the Rajah, to whose Judgment much Deference was paid by the Rajah Bulwant Sing, Father of the Rebel. (a)

" J. Macdonald."

" Sworn before me this 27th Day of November 1781,
" E. Impey."

The Managers for the Commons objected; That it was not competent for the Counsel for the Defendant to offer the Extracts of the supposed Affidavit of Major Macdonald, just read in Evidence.

The House informed the Managers for the Commons, That the Affidavit Extracts in Question, having been produced by the Managers for the Commons, it was competent to the Counsel for the Defendant to read them in Evidence.

To shew why Stores were found in the different Forts of the Rajah Cheyt Sing, after they were taken by the Company's Troops,

Read from Book 542, already delivered in, the following Extract of a Consultation of 12th August 1782, beginning at Page 157, of the same Book.

(a) Vide supra, Page 258, 259, 260.

" Fort William, 12th August 1782:

" At a Council; Present,

The Honourable Warren Hastings, Governor General, President;

Edward Wheler, and

John M'Pherson,

} Esquires.

Lieutenant General Sir Eyre Coote, K. B. absent on Service at Fort St. George.

Secret Dept.

" Received the following Letter from the Commandant of Artillery:

" Honourable Sir, and Sirs,

" In Obedience to your Commands, I examined some Ammunition found in Possession of Rajah Cheyt Sing, of which I have the Honour to transmit you a Report.

Commandant
of Artillery,
1st August.

" And am, &c.

" Fort William,

1st August 1782.

(Signed)

Patrick Duff,

Lieutenant Colonel commanding the Artillery."

" Report of Ammunition taken from Rajah Cheyt Sing: Examined by Order of the Honourable the Governor General and Council.

" Fort William, 1st August 1782.

Cartridges, light.	2	The Cartridge Bags, made of Country Cloth, fit for firing the Morning and Evening Gun.
Filled, and fixed to Chain Shot,	2	The Shot hammered, but round the Chains good, with Double Swivels in the Centre, and Single Swivels at each End. The Shot and Chains weigh 4 Pounds 6 Ounces, and 4 Pounds 9 Ounces. Powder, Weight 3 Pound 10 Ounces, and 3 Pound 11 Ounces.
Ditto, Ditto, to Grape,	1	Shot, Leaden, quilted after the Europe Manner, and fixed as we do. Cartridge Bag, Country Cloth, double. The Shot, Weight 5 Pounds. The Powder 3 Pounds 11 Ounces.
Ditto, Ditto, to Round Shot,	3	The Shot are fixed without Bottoms, and with a little Oakum between the Powder and Shot. The Cartridge Bags, Country Cloth, double. The Shot and Powder, Weight as follows: No. 9. Shot, 3 Pounds 1 1/2. Powder, 1 Pound 5 Ounces. 2. Ditto, 2 15 Ditto, 15. 3. Ditto, 2 4 Ditto, 2 2.
Balled Musquetry (French),	9	The Balls hammered, but round; the Powder glazed, and very good; the Ammunition as well made up as ours; but the Paper rubbed by Carriage, and being long made up.
Light Blue, Port Fires, filled,	2	One of which I burned, and found good.
	5	Tried one of them; it burnt clear, and for near Ten Minutes, but not strong; the Paper damp, and the Port Fires rather loft, * owing to the wet Season. * Sic in Orig. There are only Sulphre and Saltpetre used on the Composition; but they are fit for Use.
Powder Country Fire Sounds, †	1	The Powder looks well, but it is not Proof, owing, † Sic in Orig. perhaps to the Dampness of the Weather.
Shot fixed to Bottoms—Grape.	2	Leaden Shot, quilted after the European Manner; not being painted, they are not so firm as our Grape, but still serviceable.
Shot, loose, Chain,	2	Weighing 4 Pounds 9 and 4 Ounces. Chains good; Length 2 Feet 7 Inches, with Double Swivels in the Centre, and Single Swivels at each End; serviceable.
Round 6 Pounder,	2	They are hammered, but extremely round, and so well executed, that the Mark of the Hammer is hardly to be perceived. One Shot, Weight 6 Pounds 1 1/2 Ounces; the other, 6 Pound 2 1/2 Ounces; fit for Service.
* Ditto, of Sizes,	6	From 4 Pound 6 1/2 Ounces to 2 1/2; Half an Diener, † Sic in Orig. hammered, but round, and so well done, that the Mark of the Hammer is hardly to be seen on any of them but one; serviceable.
Tubs, filled,	2	Burned one, and found it extremely quick, and fit for Service, made up exactly after the Europe Manner.

(Signed)

" Patrick Duff,

Lieutenant Colonel commanding the Artillery."

• Sic in Orig. " The Governor General thinks it necessary to add to this Report, that these Specimens were prepared and sent to the Board by Colonel Blair, in consequence of Instructions left with him at the Governor General's Department * from Chunar, with the Expectation that they would have arrived at the Presidency before him. The Length of Time which has elapsed since they have been received into our own Stores, must have produced a very great Alteration in the Qualities, both of the Powder, and the Composition of every other Article of the converted Stores, that their Appearance in their present State will be sufficient to shew whether they were the Effect of present Necessity, or the Work of Men long practised in the Business both of the Forge and Laboratory.—The Members of the Board themselves have inspected them, and I wish to appeal to them for their own Observations of the Qualities of these Articles.

" The Board are clearly of Opinion, that the several Stores have been manufactured by Men who were conversant in the Arts, and that the regular Preparation of them evidently carries the Appearance of a premeditate Resistance in the Rajah.

" Warren Hastings,
John Macpherson."

Then the House adjourned to the Chamber of Parliament.

Die Jovis, 10^o Maij 1792.

THE Lords being in their Places, the House resumed, the usual Proclamations made, and the Defendant appearing at the Bar, the Lord Chancellor informed the Counsel for the Defendant, they might proceed with their Evidence.

The Counsel for the Defendant informed the House, They would now proceed to read a Deposition of Hurry Ram Pundit, from the printed Minutes.

Read, accordingly, the following Extract from Page 235, of the printed Evidence.

“ Translation of the Deposition of Hurry Ram Pundit.—The Deponent sworn before Chief Justice Sir Elijah Impey, December 2d, 1781.

“ The Rajah Cheit Sing, having reflected on his Conduct, determined with his confidential People, that it was necessary he himself should go to meet Mr. Hastings, but that he should go from the Place where he was, with such a Force, and with such Preparations, as would enable him to act both by Land and by Water, and impress the above-mentioned Gentleman with an Idea of his superior Strength; for that Mr. Hastings had with him but a small Number of Troops, and if he should have entertained any ill Intentions towards him, on observing the Number and Force of his Followers, he would be led to reflect, that nothing could be effected, and consequently be deterred from making the Attempt; therefore he gave Information and particular Directions to all his Soldiers and Attendants, that he was going to meet Mr. Hastings, and that they should hold themselves in Readiness to proceed: That he should go by Water, for which Purpose, a Fleet of Boats was prepared; for the before-mentioned Gentleman (the Governor General) would come by Water, and consequently his Fleet of Boats would come with him; therefore it was necessary, that he (the Rajah) should have a Fleet of Boats also, that his People might always be near at Hand: That a Body of Cavalry moreover should proceed by Land, and Tents be pitched at Two Places between Ramnagur and Buxar; for at all Events he must meet the Governor General. Accordingly, on the 16th of Shaubaun, the Rajah set out from Ramnagur, by Water, to meet Mr. Hastings. The Jemmadars and Huzzaries, Jaafir Khan, Dillall Khan, Juttoo Khan, Zubburdust Khan, Lulloo the Son of Kauna Mull, Rambuksh, Baulkishen, &c. all together near Five hundred Horse; also Jemmadars of Foot, with Matchlock Men, &c. near Two thousand, proceeded along the Southern Bank of the Ganges. And by Water, the Rajah was attended by a Fleet of Boats, in Number about a hundred and forty, in which were embarked Suddanund Buxey, Golaum Hooßein Tay, Mirza Fyz-ullah Beg, Bauboo Doorgbijey Sing, Munnear Sing, Purtaub Roodur Sing, Doond Bahadre Sing, Ahlaud Miffur, Meer Hooßein Ally, &c. Sheakh Mahommed Aumeen, Commandant of the Sepoy Battalions, Dabee Sing, Mahommed Moraud, Dhun Sing, and Hukkoomut. Sing, Soubadars, with Two Companies of Sepoys, Huzzoorce Pedars, and Matchlocks, in all about 2000 Men. Godur Mull and Bullum Dais, who were stationed at Ghauzipoor, joined by Orders from the Rajah, who afterwards arrived at Buxar, and had an Interview with Mr. Hastings.

“ Written by Hurry Ram Pundit.”

Read, also, a further Extract from the printed Minutes, beginning at Page 246, as follows:

“ Affidavit of Hindoo Sing, Adjutant at Buxar.

“ The Deposition of Hindoo Sing, Adjutant at Buxar, says, That the People under the Government of Cheit Sing gave many Proofs of Disaffection to the English—That about Two Months before the Arrival of the Governor General at Buxar, Two Sepoys belonging to the Fort of Buxar obtained Leave of Absence, and did not return—That Soojaun Sing, the Brother of the Rajah Cheit Sing, took them into his Service, and made one of them a Havildar, and the other a Naick—That he received undoubted Information, which was afterwards confirmed by Desertions from the Garrison, that Soojaun Sing tutored the Two Deserters to entice away the English Sepoys from Buxar, promising to make them Havildars and Officers if they would enter into his Service; in consequence of which, Seven Sepoys deserted, and entered into the Service of the said Soojaun Sing; and that many more would have followed, but that proper Measures were taken to prevent them. The Deponent also says, That long before this, when Sir Eyre Coote was on his Way to Lucknow, Three Sepoys were sent to purchase Grain at Balleah, in the Country of the Rajah.

Rajah; that they applied to the Fougedar of the Place for his Assistance in purchasing the Grain; which he not only refused, but he caused them to be beaten almost to Death; that their Turbans and Bayonets were taken away; and that no Satisfaction could ever be obtained for this Injustice and Insult to the English Government, nor was the Fougedar called to Account for his Conduct. The Deponent further says, That when the Rajah came to Buxar to meet the Governor General, he had with him a Fleet of Boats, in Number Eighty or Eighty-five, on which were embarked, according to the Information which he obtained, Two thousand or Two thousand Five hundred Men, Sepoys and Matchlock Men, with Four Guns; that he came to, and encamped on, the Northern Side of the River, opposite to Buxar; and that he had several Bodies of Cavalry on the Road, on the same Side of the River—Says, that the Rajah came to Buxar to see the Governor General; that he brought with him only Fifty or Sixty People, but that they were all his Relations and particular Friends, on whom he depended; and that they were all armed. The Deponent further says, That when Hostilities commenced between the Rajah and the English, the Sepoys and others who happened to be in the Rajah's Country, were all driven out, and the Road on both Sides the River so completely shut up, that no Individual could pass—That Four or Five thousand Matchlock Men were to be collected by Two Brothers, Deir Sing and Beir Sing, at Serinjah, agreeable to Orders from the Rajah; and that the said Rajah wrote Directions to the said Deir Sing and Beir Sing, and to the Kelladar of Serinjah, to reduce the Fort of Buxar, and to establish his Government in that Country.

“ The Deponent further says, That about Twelve Months ago Three European Gentlemen were attacked at Beerpoor, in the Country of the Rajah, about Five Cofs from Buxar; that One of the Gentlemen was desperately wounded; that a Serjeant, a Jemmadar, and Fifty Sepoys, were sent from Buxar to seize the Zemeedar, but without Effect—That Complaints were made to the Rajah, but no Redress could ever be obtained.

“ Hindoo Sing.”

“ Sworn before me (the Contents being first explained to the Witness by W. Davy Esquire, in the Hindoostan Language) the 9th Day of December 1781.

“ E. Impey.”

“ Affidavit of Sheakh Mahommed Aumeen Meyher.

“ Deposition of Sheakh Mahommed Aumeen Meyher, late a Commandant in the Service of Cheit Sing.—Upon his Oath says, He was the Servant of Cheit Sing; that he commanded a Battalion of Eleven hundred and Fifty Sepoys in his Service; that he accompanied Cheit Sing when he went to Buxar to meet the Governor General; that there was with Cheit Sing at that Time, the following armed Force, Two hundred and Twenty-eight Sepoys under the immediate Command of this Deponent, Six hundred Matchlock Men under the Command of Scuperfau Sing, and Three hundred Peadahs, or Sword Men, called Huzzoory or Guards; that the above-mentioned Troops accompanied the Rajah in Boats; and that the said Rajah Cheit Sing was also attended by a Body of Six hundred Cavalry, under different Leaders; that the Cavalry marched down on the Southern Bank of the Ganges, and directed their Movements by the Motion of the Fleet of Boats in which the Rajah and his Infantry were embarked: That when the Rajah Cheit Sing arrived at Ghauzipoor, he was joined by Bullum Dafs the Aumil, and the Dewan Ruggoobur Dial; and that when he proceeded on from thence, a Detachment of Cavalry and Matchlock Men (stationary Troops at Ghauzipoor) in Number about Five hundred, accompanied the Rajah, marching along the Northern Bank of the River in the same Manner as the Troops on the opposite Side, moving when the Fleet moved, and halting when that halted; that the Rajah arrived, and encamped on the Northern Side of the Ganges, opposite the Fort of Buxar; that the Governor General arrived at Buxar the next Day; that the Rajah crossed the River, and waited upon him; that he returned to his Camp, and about Three o'Clock in the Afternoon put his People and Fleet in Motion, returning as he had went, and the Troops on the Banks of the River accompanying the Boats; that the Governor General proceeded the next Morning, and came up with the Rajah at Zemeneeah, about Twenty Cofs from Buxar; that the Rajah again waited on the Governor General on board his Boat, and that the Governor General then proceeded on before the Rajah, the Rajah following at the Distance of Four or Five Cofs, until they reached Benaris; that the Governor General went to the Garden of Mahadew Dafs, and the Rajah to Shewallah Ghaut, his armed People taking their Stations in their Neighbourhood; that his (the Deponent's) People did not arrive with the Rajah, but that he joined him with Fifty Sepoys, and took his Station near to Shewallah; that Two Companies of Sepoys also joined the Rajah from Rantagur.—The Deponent further says, That on the Day that the Three Gentlemen and the Two Companies of English Sepoys came to the Rajah, and the Circumstance of his Arrest was known, the Rajah's People (who were then stationed round Shewallah) to the Number of about Four thousand, were armed and prepared for Action; that at this Time Munnihar Sing, Seumur Sing, and Nunkoo Sing, went to the Rajah: That the Disturbance and Dispute at the Gate ran high, and increased every Moment: That the Huzzoories, Peadahs, and others, with their Arms, got upon the Chuppers

Choppers which were erected against the Wall on the Outside; that the Matchlock Men fired upon a Company who were without Shewallah; that the Deponent counted Seven Matchlocks which were fired, and saw a Sepoy fall by the First Shot; that the Moment the Firing was heard, the Rajah's People forced their Way Sword in Hand into Shewallah, and cut the Gentlemen and Sepoys to Pieces; that the Rajah Cheit Sing escaped during the Conflict to Ramnagur, and from thence to Lutteefpoor.

"The Deponent further says, That after the Detachment from Chunar was repulled near Ramnagur and obliged to retreat, Soojaun Sing and the Buxey Suddanund arrived with Troops at that Place, and that by Orders from the Rajah they prepared Scaling Ladders, &c. in order to make a Night Assault on the Garden of Mahadew Dafs; that Boats were preparing, and Guns and Troops marched down to the Ghaut of Aul Sungun; that the Sepoys belonging to the Deponent refused to cross the River until they had obtained some Refreshment, having been without Food for Two Days; that the Night passed away without any Thing being done, and that the Governor General on that Night quitted Benaris, and arrived at Chunar; that Soojaun Sing and Suddanund Buxey wrote a Complaint to Cheit Sing against the Troops under the Command of the Deponent the next Morning; and that Soojaun Sing sent a Company of his own Sepoys to take Possession of the Garden of Mahadew Dafs; that they plundered the Property of the Gentlemen at that Place, and returned to Ramnagur.

"The Deponent further says, That the following is, to the best of his Memory, a true List of the Forces with Rajah Cheit Sing; those on the regular Establishment, those newly entertained, and those who came in to his Assistance."

"List of the Established Forces in the Service of Cheit Sing.
Cavalry, Sepoys, Matchlock Men, &c.

	Number.
Cavalry	1,700
Body Guards, or select Troops, Cavalry and Infantry	700
Sepoys	1,150
Matchlock Men	1,800
Attached to Bullum Dans	800
With Soojaun Sing	500
Sepoys and Artillery Men with Two Guns	340
With Munnear Sing	700
	7,690

"Troops entertained after the Arrival of Cheit Sing at Lutteefpoor.

First, entertained at Lutteefpoor	Matchlock Men and Sword Men	2,000
Second, — Nujeeb	Sword Men from Lucknow	1,000
		3,000

"Troops assembled from different Places.

Infantry and Cavalry with Juggurdeave Sing	500
Matchlock Men arrived with Bukht Sing, by Orders from Rajah	1,200
D ^r with Gooman Sing, sent for by the Rajah	500
D ^r from the Fougedar of Bidduwy	1,000
Raujpoots of the Tribe of Kugbunsie from Kurraukut	3,000
With Dillun Sing, Fougedar of Mukurun Baudshaahpoodmate	1,500
Cavalry and Infantry arrived with Ruzza Rool Khaun	300
Raujpoots collected from Agoree and Purwah by Dea Lutchoo	500
D ^r of the Tribe of Cummur collected by Soojaun Sing	1,000
Sword and Matchlock Men with Ranju Awun	2,000
	11,500

"Total Troops in the Service of Cheit Sing — 22,190

"To which are to be added Husbandmen and Adventurers who took up Arms, making the foregoing Number amount to near 40,000 Men.

(Signed) "Sheakh Mahommed Aumeen Mhiur."

"Sworn (the Contents being first explained to the Deponent by William Davy Esquire) this 3^d Day of December 1781.

(Signed) "E. Impey."

The Managers for the Commons objected to the Evidence.

The House informed the Managers for the Commons, That the Effect of the Evidence last produced, would be Matter of future Consideration for the House.

The

The only Question now was, whether having being read in Part on the one Side, it would not, at the Time it was then produced, have been competent for the Defendant to have read the Whole; and that upon that, and that Ground only, the same was now read.

To prove, That the Arrest of Persons in high Situations concerned in the Collection or Administration of the Revenues, is a usual Measure of Government in Cases of Misconduct,

Read, from Book 503, already delivered in, the following Extract of a Consultation of the 20th April 1772, beginning at Page 45 of the same Book.

“ Fort William, the 28th April 1772.

Secret Dept.

At a Consultation; Present,
The Honble. Warren Hastings, Esquire, Governor General, President;
William Aldersey, }
Philip M. Dacres, } Esquires: { James Harris,
Thomas Lane, } James Lawrell,
Richard Barwell, } Henry Goodwyn,
John Graham.”

“ Read and approved, the Proceedings of the 16th ultimo.

President's
Minute, in-
forming the
Board of the
Seizure of
Mahomed
Rezsa Cawn
and his Dewan.

“ The President informs the Board, that in Consequence of Orders received from the Secret Committee by the Lapwing, and referred to in Paragraph the - - - - * of the General Letter from the Court of Directors which accompanied it, he has sent Instructions to Mr. Middleton to arrest the Persons of Mahomed Rezsa Cawn, and Rajah Aumatt Sing his Dewan, and to send them under a Guard to Calcutta; that he has received Advices from Mr. Middleton, that the same has accordingly been put in Execution.—This Letter to Mr. Middleton, and Mr. Middleton's in Reply, he desires may stand on the Proceedings.

* Sic in Orig.

“ To Samuel Middleton, Esquire.

“ Sir,

* Sic in Orig.

“ By the Lapwing's * Packet, which arrived last Night, I received a Letter from the Secret Committee of the Honble. Court of Directors, in which they direct and enjoin me immediately on the Receipt of the said Letter, to issue my private Orders for securing the Person of Mahomed Rezsa Cawn, and to bring him down to Calcutta.

“ Their Commands are peremptory, and require immediate Execution, neither will the Urgency of the Occasion admit of Delay. Many Considerations induce me to delegate this Trust to you. Your Station and Authority point you out as the fittest Person for it, as the particular Confidence which I repose in your Integrity and Fidelity to our Common Masters, is a Pledge to me for your punctual and instant Discharge of it.

“ This, therefore, is to require of you, that upon the Receipt hereof, you do immediately arrest the Person of Mahomed Rezsa Cawn, and send him under a sufficient Guard to Calcutta, allowing him only the Time necessary for furnishing himself with such Conveniencies as he may want on the Way. Your own Disposition will make it needless to recommend that every Mark of Tendernefs and Respect may be shewn him, consistent with the literal Performance of this Service; but it will be best to avoid a personal Meeting with him: I advise, but do not insist on this, leaving it to your Discretion.—You will be pleased to keep a Guard on the House of Mahomed Rezsa Cawn, and suffer nothing to be removed from it, until you receive further Instructions on this Subject, either from myself, or the Select Committee.

“ I must desire also, that you will cause Rajah Aumers Sing, the Dewan of Mahomed Rezsa Cawn to be seized and sent down to Calcutta.

“ It is unnecessary to recommend to you the greatest Caution and Secrecy in the Conduct of this Business, that it may be the Cause of no Alarms or Disturbance.

“ I am, with much Esteem, &c.

“ Fort William,
24th April 1772.

(Signed) Warren Hastings.”

“ To the Honble. Warren Hastings, Esquire.

“ Sir,

“ In obedience to your Commands, signified to me in your Letter of the 24th Instant, I have the Satisfaction to acquaint you, that I have this Morning seized the Persons of Mahomed Reza Cawn, and his Dewan Armut Sing, and placed proper Guards upon their Houses and Effects: As you were pleased to intimate your Wish that I should avoid a personal Interview with the Nabob, I deputed Mr. Anderson, one of my Assistants, to wait upon him with a Letter from me, and to communicate the disagreeable Orders I had received regarding him. At the same Time, an Officer with Eight Companies of Sepoys was dispatched from the Brigade, to expedite the Execution of these Orders, and to guard against any evil Consequences which might have ensued in the City. Apprehending that this Alarm would occasion some Disturbance, I went myself, with a Part of this

this Force joined to some Companys of Purgunna Sepoys, to the Kellah, with a View to explain the Matter to the young Nabob, and to obviate any Conflernation or Surprize which might have seized him from an Event thus sudden and unexpected; and at the same Time to prevent any Irregularities which at this critical Juncture the Nizamut Sepoys, or the Nabob's own Servants might have been tempted to commit. But I had the Satisfaction to find, that however prudent, Circumstances might have made these Measures appear, there was, in fact, no absolute Necessity for their Adoption; for I did not discover the least Tendency to Tumult or Disorder throughout his Excellency's Dependants; and so little Inclination did Mahomed Reza Cawn shew to oppose or impede the immediate Execution of your Orders, that he was no sooner acquainted with the Purport of them, than he made a voluntary Resignation of himself and Effects to the Officer who was deputed to take him into Custody; and here I should not do Justice to the calm Submission with which he met his unhappy Fate, was I not to notice the Readiness he manifested to comply with your Orders in their fullest Extent; and so far from wishing to protract the Period of his Departure from hence—I can venture to assure you, you cannot be more impatient for his Arrival in Calcutta than he appears to be; and he accordingly proceeds in his Journey To-night, under an Escort of Two Companies of Sepoys commanded by Lieutenant Lucas.

“ He proposes embarking at Mizzapore, and will require Three Budgerows, and Fifteen Baggage Boats, for himself and his Dewan; these, with a small Addition to the Number of Boats, for the Service of the Sepoys, I am to request, may be dispatched from the Presidency with all possible Expedition. (a)

“ Moortejet,
27th April 1772.

“ I am, Sir, &c.
(Signed) “ Sam. Middleton.”

(Signed at the End of the Consultation)

“ R^t Barker,
Warren Hastings,
W. Aldersey,
T. Lane,
Rich^d Barwell,
H. Goodwin.”

Read, also, a further Extract from the same Consultation, beginning at Page 59 of the same Book.

“ As the Charge of Neglect or Embezzlement of the Revenues, is equally applied by the Court of Directors, to Sitabroy the Naib Dewan of the Bahar Province, as to Mahomed Reza Cawn; as they have directed a minute Enquiry to be made into both; and as the leaving of Sitabroy in Possession of his Office, after the Measures which have been taken respecting M. R. Cawn, and the Conclusion which he must necessarily form with regard to himself, may put it in his Power to elude any Enquiry into his Conduct, whether by private Collusions with his Agent, or by his Flight;

“ The Board are of Opinion, that it will be equally necessary to lay an immediate Restraint upon his Person, and that of his Dewan also.

“ Agreed therefore, that the President be requested to write to the Chief of Patna for the above Purpose, in the like Manner as he has written to the Chief of the Durbar.” (b)

President to write to the Chief of Patna to apprehend Sitabroy.

Read, also, the following Extract of a Consultation of the 16th May 1772, beginning at Page 85 of the same Book.

“ Fort William, 16th May 1772.

“ At a Consultation; Present,
The Honourable Warren Hastings, Esquire, President;
William Aldersey,
Philip M. Dacres, { Esquires. } James Harris,
Thomas Lane, { James Lawrell,
Richard Barwell, { Henry Goodwin,
John Graham,

Sec. Dept.

“ The President lays before the Board, the following Letter received from the Chief of Patna.

“ A Copy of a Letter from Mr. George Vansittart, Chief at Patna, to the Honourable the President.

“ Patna, 7th May 1772.

“ Honble. Sir,

“ I have received your Letter of the 28th of April, and have in consequence caused Rajah Sitabroy to be arrested, and I shall dispatch him to Calcutta To-morrow Morning, under the Es-

Letter from the Chief of Patna.

(a) Vide Appendix, N^o CCXLIX.

(b) Vide Appendix, ibid.

court of a Subadar and Fifty Sepoys, together with the Dewan Buffunt Roy and his Paishear Sudar Sing. Both to obviate the Alarms of the Natives, and to secure as much as possible the Collections from being prejudiced, I have been particularly attentive that he should be exposed to as little Indignity and Dishonour as Circumstances would admit. I am under no Apprehension of Disturbances in the City, but the Collections perhaps may in some Degree suffer, both by the Uneasiness which such an Act of Violence may occasion among the Men of Credit in the Country, and by the Absence of Raja Sitebroy at this Time of the Year, whose Experience and Abilities might be particularly useful for the Adjustment of those Purgannas in which the Produce has been deficient. (a)

" I am, &c. ,

(Signed) " Geo. Vanfittart."

(Signed at the End of the Consultation)

" Warren Hastings,
W. Aldersey,
Thomas Lane,
Rich^d Aldersey,
H. Goodwin."

To shew the Resolution of the Board in October 1788, to impose a Fine of 5,000 Rupees upon the Rajah of Burdwan, for not paying his Arrears according to their Order, and if he did not pay the Fine, to put him into Confinement; the Order to put him into Confinement upon his Default in that Respect, and the Execution of that Order,

Read, from Book 500, the following Extract of a Consultation, of the 1st October 1788, beginning at Page 144 of the same Book.

Rev. Dept.
Wednesday.

" Fort William, 1st October 1788.

" At a Council; Present,
Earl Cornwallis, K. G. Governor General, President;
The Honourable Charles Stuart,
and
John Shore, Esquire.

" Mr. Shore acquaints the Board, that Orders were issued to the Rajah of Burdwan, on the 23d of October 1787, to transmit the Account of the Bazar Zemeen Lands of that District. That in Consequence of his delaying to furnish the Papers required of him, the Orders were repeated, but without Effect. He accordingly transmitted a further Requisition to the Rajah; to which he received the following Reply, which he now submits for the Consideration of the Board:

" From the Rajah of Burdwan, addressed to the Board of Revenue.

" Received the 27th September 1788.

" I have been honoured with your Perwannah, stating, that several Orders have been issued to me, regarding preparing and transmitting the Papers of the Bazar Zemun of Chucua Bu dwan. That these Accounts had not yet been drawn out agreeable to the Form laid down by you, and sent to the Presence; and desiring, that in the Course of 15 Days, I prepare these Papers, and transmit them to you; that in case of any Delay, it will be very bad for me. Gentlemen, What Power have I to deviate a Hair's Breadth from your Orders? And I am even ready and earnest to obey them to the utmost of my Life. But the Misfortunes which befel this District last Year, are well known to you. From Bylaac to the 15th Sawun, I attended the Presence concerning the Balances of last Year. Having settled this, I returned to Burdwan, and have since been engaged in arranging the Settlement, and therefore could not entirely devote my Time to making out these Accounts. Now, in pursuance to your Orders, I have Day and Night exerted myself in preparing these Accounts. But the Collections, the most important Matter, will be injured, if the Gomastahs of the Villages are called all in at once. On this Account, I have sent for the Gomastahs, one by one, with the Mofufil Papers, and am making out the Accounts wanted by the Presence. By God's Help, in a short Time, the Papers of each Village will be made out, and sent to the Presence. (b)

Enclosure.

(A true Translate)

" G. F. Cherry, D. P. Tr."

(Signed at the End of the Consultation)

" Cornwallis,
Cha^s Stuart,
J. Shore."

Read, also, a further Extract from the same Consultation, beginning at Page 148 of the same Book.

" Gentlemen,

" Your President having acquainted us, that Orders have been repeatedly issued to the Rajah of Burdwan, to transmit the Accounts of the Bazee Zeman Lands of that District, which he was directed to prepare so long ago as the 23d October 1787, and deeming the Reasons assigned by the Rajah for the Delay, in the enclosed Reply, to a further Requisition lately transmitted him, evasive and ill founded, we have resolved to impose on him a Fine of Five thousand Rupees, as a Punishment for his Disobedience to Public Orders, and desire you will direct the Acting Collector of Burdwan to require Payment of the Amount within Five Days from the Date of his notifying the Order to the Rajah, and to put him in Confinement in the Event of his failing to discharge it within the Period prescribed.—You will order the Acting Collector to communicate the above Resolutions to the Rajah, and likewise to acquaint him, that should he persist withholding the Accounts, he will subject himself to further Marks of our Displeasure, and to the Infliction of heavier Penalties. (a)

" October 1st 1788.

" We are, &c."

Read, also, from Book 501, the following Extract of a Consultation of the 19th November 1788, beginning at Page 378 of the same Book :

" Fort William, the 19th November 1788.

" At a Consultation; Present,
Earl Cornwallis K. G. Governor General, President;
The Honble. Charles Stuart.
Mr. Shore indisposed.

Rev. Dep.
Wednesday.

" To Earl Cornwallis K. G. Governor General in Council.

" My Lord,

" We have the Honour to enclose Copies of a Letter and Enclosure from the Acting Collector of Burdwan, respecting the Fine imposed by your Lordship in Council, on the Zemindar of that District, and beg Leave to request your Orders on his Application,

" Calcutta,
the 11th November 1788.

" We are with Respect, &c.
(Signed) " Tho' Graham, &c. Members."

Boards of Re-
venue.

" To John Shore, Esquire, President, and Members of the Board of Revenue.

" Sir and Gentlemen,

" Fort William.

" I have been honoured with your Letter of the 17th ultimo, enclosing Orders from the Right Hon. the Governor General in Council, to levy a Fine of 5000 Rupees on the Rajah of Burdwan, for neglecting to transmit the Accounts of the Bazee Zeemen Lands of this District, and directing me in the Event of his failing to discharge it, to put him in Confinement.

" In Obedience to the above Orders, I communicated to the Rajah (in Writing) the Commands of the Honourable Board, (a Copy of which I have the Honour to enclose); and as he has persisted in withholding the Payment of this Fine, I have been under the Necessity of placing a Jemydar and 12 Peons Mohussils over him, and should he still delay Compliance with the Honourable Board's Order, I beg to be favoured with Directions in what Manner I am to proceed against him.

" I have the Honour to be, with great Respect,
Sir, and Gentlemen,

" Burdwan,
the 8th November 1788.

Your most obedient,
and very humble Servant,
(Signed) " Tho' Brooke, Acting Collector."

Enclosure in
Letter from
the Board of
Revenue.

" Translation of Mr. Brooke's Letter to the Rajah of Burdwan, after Compliments.

" The Governor General in Council having deemed the Reasons you have assigned for not transmitting the Accounts of the Bazee Zemen Lands, evasive and ill founded; I have therefore imposed upon * of your Fine of Five Thousand Rupees, and which Fine you are ordered to pay to me within Five Days of the Date of this Notification to you; and if you should delay the Payment beyond that Day, I am ordered to put you in strict Confinement. I therefore hope you will send me this Money immediately; and I am further directed to inform you, that unless you transmit the Bazee Zemen Accounts without Delay, you will subject yourself to much heavier Penalties, and further Marks of the Displeasure of the Governor General in Council.

A true Translation.

(Signed) " J. Brooke, Acting Collector.

Revenue Board, true Copies.

(Signed) " J. H. Harrington.

(Signed at the End of the Consultation)

" Cornwallis,
Cha' Stuart."

(a) Vide supra Appendix, N° CCLI.

Read, also, a further Extract from the same Consultation, beginning at Page 399 of the same Book.

" We desire you will order the Collector of Burdwan to repeat his Demand on the Rajah for the Payment of the Fine, and in the Event of his not discharging the same within Four and Twenty Hours, to put him under a Guard, and send him down in Confinement to the Khalfah.

" Fort William,
the 19th November 1788.

" We are, &c."

Read, from Book 502, already delivered in, the following Extract of a Consultation of the 22d December 1788, beginning at Page 570, of the same Book.

" Fort William, the 22d December 1788.

Rev. Dept.
Wednesday.

" At a Council; Present,
Earl Cornwallis K. G.
The Honble. Charles Stuart,
and
John Shore, Esquire.

" To Edward Kay, Esquire, Secretary to the Government.

Secretary to
Board of Rev.
19th Dec.

" Sir,

" The Orders of the Governor General in Council, on the 19th ultimo, having been communicated to the Acting Collector of Budwan, I am directed to transmit you the enclosed Copy of his Reply for the Information of his Lordship in Council.

" Calcutta,
the 19th December 1788.

" I am, &c.
(Signed) " J. H. Harrington, Secy."

(Copy.)

Enclosure.

" To John Shore, Esquire, President, and Members of the Board of Revenue.

" Sir and Gentlemen,

Fort William.

" Immediately on the Receipt of your Letter of the 25th ultimo, I communicate to the Rajah in Writing the Orders of the Governor General in Council, in the Event of his not discharging the Fine imposed upon him within Four and Twenty Hours, and I have the Honour to inform you that the Rajah in Consequence complied with my Demand, and has paid into the Treasury the Sum of S^r R^y 5,000.

" I have the Honour to be, with Respect, &c.

" Burdwan,
the 4th December 1788.

(Signed) Tho^s Brooke, Assistant Coll^r.

Revenue Board—A true Copy.

(Signed) " J. H. Harrington, Secy."

(Signed at the End of the Consultation)

" Cornwallis,
Cha. Stuart,
J. Shore."

To shew that the Massacre of the Troops at Shewallah Gaut was not a sudden Affray, as stated in the Charge, but an Attack by the regular Forces of the Rajah Cheit Sing:

Read, the following Extract from Page 248, of the printed Minutes.

" That on the Day that the Three Gentlemen and the Two Companies of English Sepoys came to the Rajah, and the Circumstance of his Arrest was known, the Rajah's People (who were then stationed round Shewallah) to the Number of about Four thousand, were armed and prepared for Action; that at this Time Munnihar Sing, Seuamur Sing, and Nunkoo Sing, went to the Rajah: That the Disturbance and Dispute at the Gate ran high, and encreased every Moment. That the Huzzoories, Peadahs, and others, with their Arms, got upon the Chuppers which were erected against the Wall on the Outside; that the Matchlock Men fired upon a Company who were without Shewallah; that the Deponent counted Seven Matchlocks which were fired, and saw a Sepoy fall by the First Shot; that the Moment the Firing was heard, the Rajah's People forced their Way Sword in Hand into Shewallah, and cut the Gentlemen and Sepoys to Pieces; that the Rajah Cheit Sing escaped during the Confusion to Ramnagar, and from thence to Lutteespoor.

" Sworn (the Contents being first explained to the Deponent by William Davy Esquire), 3d Day of December 1782.

(At the End of the Affidavit)
(Signed) " Sheakh Mahommed Aumeen Mhiur."

(Signed) " E. Impey.

" The

" The Deposition of Bishen Sing, Subadar, relative to the Action at Shewallah Ghaut.

" Upon his Oath, says, That in the Morning of * , Lieutenants Scott and Symes gave Orders that Two Companies of Grenadier Sepoys should be got ready; that the Companies were immediately paraded, and that the above Gentlemen marched with them to Shewallah, where the Rajah Cheit Sing resided; that Lieutenant Symes with One Company took Post within the First Gate; that the Company under Lieutenant Scott stationed themselves at the Inner Gate; that Lieutenant Stalker ordered him to post a Guard of a Havildar and Twelve Sepoys at the small Gate leading to the River, and another Guard at the Gate opening from thence into Shewallah; that he posted Guards as he was ordered, and that he sent out a Havildar to see what Number of Men were in the neighbouring Gardens and Cantonments, and what they were about; that the Havildar brought back Information, that the Rajah's People were all arming themselves, and loading their Matchlocks; that he communicated this Intelligence to Lieutenant Stalker, and added, that the Rajah's People were certainly preparing to attack them; that at this Period the Rajah's Buxey arrived: that he went in to Cheit Sing, and that he saw him make a Motion with his Hand as one striking with a Sword; that the Deponent saw this from the Inner Gate where he was standing; that Cheit Sing's People became turbulent, exclaiming on all Sides, that they (the English) had made their Rajah a Prisoner, and calling out to attack them; that he found it necessary to order the Sepoys to fix their Bayonets, and that he sent Information to Lieutenant Stalker, that they were about to be assaulted; in consequence of which, Lieutenant Stalker came out to the Place where Lieutenant Symes was posted with his Company: that Lieutenant Symes, pointing to the Rajah's People with his Hand, told Lieutenant Stalker, that those People were going to attack him; that Lieutenant Stalker spoke to the Rajah's People, and returned, and that the Clamour in some measure subsided; that at this Juncture Munnear Sing, and his Son Nunkoo Sing, and Suamur Sing, arrived, and seated themselves by the Rajah; that at this Instant, an Hircarra brought Intelligence to the Rajah, that another Company of English Sepoys were coming from Murwarry, and that they were arrived near at hand; that at this Period, one of the Rajah's Matchlock Men fired at the Company, which was advancing; that the Moment the Report of the Matchlock was heard, the Rajah's People within, who were alarmed, became very turbulent; the Noise and Confusion increased, and Lieutenant Scott came out and enquired into the Cause of it; that the Action immediately commenced within, and that Lieutenant Stalker called out to the Deponent to enter with his Company; that he attempted to obey the Orders which he had received, but that the Attack at that Instant began without the Inner Gate also; that it was no longer possible to enter with his Company; but that he nevertheless forced his Way in with about Twenty Sepoys; that Mohun Sing, Subadar, the Moulavy, and Cheit Ram (Mr. Markham's Chubdar), were first cut down; that Munnear Sing struck at Lieutenant Stalker with his Scymetar, but without Effect; that Lieutenant Stalker made a Thrust at Munnear Sing with his Sword, without Effect also; that Lieutenant Stalker threw the Sword from his Hand, and took a Scymetar from one of his orderly Sepoys, with which he continued the Action; that Nunkoo Sing afterwards made a Stroke at Lieutenant Stalker; that the Rajah's People, who were now assembled in great Numbers both within and without, charged the English Sepoys Sword in Hand, and continued the Attack till Lieutenants Stalker and Scott, with all the Sepoys, were cut down; that the Deponent's Arm was struck off by the Blow of a Scymetar; that he received several other Wounds, and at last fell, and that he continued there among the Dead and Wounded, until a Company of Sepoys came and carried off those who remained alive.

" Bishen Sing, Subadar."

" Sworn before me (the Contents being first explained to the Deponent by W. Davy Esquire) this 3d Day of December 1781.

" E. Impey."

To shew the Conduct of the Rajah Cheit Sing, subsequent to the Massacre at Shewallah Gaut, and particularly that at the Time of his writing the Letter to the Defendant, stated in the Charge, he had a considerable Force; that he was exciting the Country against the English, and issuing Mandates to put them to Death wherever they could be found,

Read, from Book 518, already delivered in, the following Extract of a Consultation of the 7th September 1781, beginning at Page 176 of the same Book:

" Fort William, the 7th September 1781.

" At a Council; Present,
Edw^d Wheler, Esquire.

The Honble. the Governor General absent on a Visit to the Northern Provinces.
Lieutenant General Sir Eyre Coote, K. B. absent on Service at Fort St. George.

" Read, the following Letter from the Acting Chief of Patna:

18 T

" To

" To the Honble. Warren Hastings, Esquire, Governor General, &c. Council,

" Honble. Sir and Sirs,

Acting Chief
at Patna, dated
28th August.

" The apparent Aspect of Things in these Provinces has induced me to communicate to the Honble. Board a Chain of Events which requires their most serious Attention.

" Since the Revolt of the Rajah Cheyt Sing the 16th Instant, every Communication by Dawk has been cut off from hence to Benares; and so well has he concerted Measures, that we can obtain no Intelligence whatever from that Quarter.

* Sic in Orig.

" It was the 24th, before Major Eaton commanded * at Buxar, had the least Intimation of the Insurrection, with Orders to detain the Dawks, which was accordingly done, and Major Crauford ordered immediately to march with his Regiment from Dinapore, and proceeded accordingly the 22d, and would reach Buxar the 25th, where he was to carry on the Dawks which had been detained.

" Six or Eight Days have now elapsed without any accurate Intelligence having been received from the Governor General or any of the Party, but that of his being safe at Mulwauty, a Garden House in the Neighbourhood of Benares, and some dubious Intelligence of his having retired to the Garrison of Chunar Gurrh.

" I have hit upon every Expedient for acquiring the most authentic State of Affairs in those Parts; and learn daily from the Boatmen and other Natives in passing this Place, that the whole Banks of the River through the Rajah's Country are lined with armed Men, who board and fire upon all Boats indiscriminately; that several Europeans have had very narrow Escapes, and have got to Buxar; and Mr. Huggins, a Merchant of this Place, on his Way up the Country, had some Difficulty in returning hither.

" I have dispatched private Hiccarrahs by different Routs, to the following Gentlemen, at their respective Stations:—Mr. Middleton, at Lucknow; Colonel Hannay, in the Gorruckpoor Country; Colonel James Morgan, commanding the Brigade at Cawnpore, and Captain Williams, bordering upon the Rajah and Sircar Saurun Districts, to apprise them of those Events. In short, I have taken every Precaution that human Wisdom can devise to get the best Intelligence.

" I have issued necessary Orders to Major Alexander Hardy, commanding the Militia Sepoys, to collect his People, as many as can be spared, from the Collections wherever dispersed, in order to protect the City, secure the Treasure, the Investment of Piece Goods, Opium, &c. manufacturing at present in the Dutch Factory, and to suppress all Tumults, or any apparent Disturbances that may happen by the disaffected in the City.

" These Measures being taken as absolutely necessary, have been put into Execution with the greatest Secrecy and seeming Indifference, to prevent any Alarms or Distrust from the Natives of Patna. I shall, from Time to Time, communicate to the Honble. Board the Intelligence I may hereafter obtain.

" I have the Honour to be, with great Respect,

" Patna,
28th Aug. 1781.

Honble. Sir and Sirs,

" &c. &c. &c.

(Signed) " J. Rofs,
acting Chief of the Province."

" P. S. Since writing the above, I have received the following Intelligence.

" Extract of a Letter from Captain Noke, commanding a Battalion in Major Moses Crawford's Regiment, at Buxar, on its Way to Benares, dated 25th August 1781, to Captain Hawkesley Hall at Dinapore.

" It is from Fellows disguised in strange Habits, that arrived to Day from Chunar. They came in here while we were at Dinner with Major Eaton, with Intelligence, and gave us to understand, that the Country all the Way from the Carrumnassa to Benares was lined with Troops; and it was not possible for a Detachment of less than Four Battalions, and as many Guns, being * arrived at such a Pitch of Distraction, as to think of moving that Way, much more to attempt it. They also say, that a few † remaining Four Companies of Popham's Regiment, that was left at Mirzapore, had attempted to join the Six that had retired to Chunar with Mr. Hastings, had suffered an astonishing Loss: They were unhappily intercepted in a narrow Passage in some of the Streets of the Town, and were butchered in a most inhuman Manner. Poor Captain Mayaffree, of Artillery, who had Six Field Pieces and Two Howitzers under his Command, was furiously assaulted, and his Head struck off, which was carried about the Town as a Trophy. This unfortunate Gentleman had also the Company of Freemen that Sir Eyre Coote brought from Madras, consisting of 100 strong, who were also miserably hacked to Pieces, and only Fourteen of them escaped into Chunar; about Fifty or Sixty Men of Popham's Four Companies are also escaped to that Place. Poor Jonathan Scott I find is of the slain, at the Rescue of the Rajah, and Five poor Fellows of the Artillery Officers, I mean killed and wounded with Captain Mayaffree. To complete our Misfortunes, our Intelligence says, that Captain Maxwell and his Battalion are in great Danger, as Parties of Men are laying

* Sic in Orig.

† Sic in Orig.

• laying in wait to intercept his Passage at the Gaults of the Gograh. In short, I very much fear
• there can no Assistance arrive at Chunar Ghur from any Place but Futtah Ghur and Cawn-
• pore. Major Eaton has recommended to Major Crawford not to stir from hence till more fa-
• vourable Accounts arrive. Lieutenant Adams and Mr. Perreau fortunately made their Escape
• from Gauzypore in the Night, and arrived here without Molestation.

• A Number of Dandees of the Governor's Fleet arrived here to Day, who gave an Account
• of several of their Brethren being tied together in a Bundle of Five or Six, and were chucked
• into the River and drowned, also others cut to Pieces.' (a)

• A true Extract.

(Signed)

“ Ja^s. Rols, Acting Chief of the Revenue.

(Signed at the End of the Consultation)

“ Edw^d Wheler.”

Read, also, a further Extract from the same Consultation, beginning at Page 182, of the same Book, as follows :

“ To the Honourable Warren Hastings Esquire, Governor General, and Council.

“ Honble. Sir, and Sirs,

“ I deem it necessary to inform you, that I have received certain Intelligence of the Rebel Futtu Saw's being in Arms, with a Body of about Fifteen Hundred Men, which he has been collecting for some Time in Rajah Cheyt Sing's Country, from whom he has received Supplies of Money for that Purpose.

Mr. Græme,
dated 27th
August.

“ The Battalion that was stationed at Burragong having, in Consequence of Orders from the Honourable the Governor General, marched from that Place on the 23d Instant, and no Force being left for the Defence of Housseypore, I was induced to make Application to the Commanding Officer at Dinapore for a Battalion of Sepoys, to be sent me without Delay ; and I have now the Honour to enclose his Answer to my Requisition, from which you will perceive, that I can have no Assistance from that Quarter.

“ It is not a little surprising, that Colonel Ahmuty should even suggest the Probability of my being furnished with a Force equal to the Service required from Major Hardy's Corps, which, it is well known, is so dispersed at different Stations throughout the Soubah Beliar, that there are seldom more than a few Companies left in the City of Patna. That, however, nothing on my Part may be omitted, which carries the Possibility of saving Housseypore, I shall immediately apply to Major Hardy, though scarcely any Hopes present themselves of his being able to afford me any Assistance. I am also collecting together, with all Expedition, a Body of Burgundosses, both in the Sircar Sarun District, and in Housseypore, which may, in some Degree, tend to quiet the Fears that Futtu Saw's Preparations have occasioned, and induce the Riots to continue to cultivate their Lands. But should Futtu Saw, as it is probable he will, enter the Country, I hardly flatter myself, that any Force I can assemble, will prove adequate to drive him out again. A few Sepoys of the Militia Corps, who are at this Station, will accompany the Burgundosses.

“ Chuprah,
27th August 1781.

“ I have the Honour to be,

Honourable Sir and Sirs, &c. &c.

(Signed)

“ Charles Græme,
Collector of S. Sarun, &c.”

“ To Charles Græme, Esquire,
Collector of Sarcar Sarun.

“ Sir,

“ I am favoured by yours of the 24th, and am extremely sorry it is not in my Power to comply with your Requisition. The following puts it out of my Power to give the least Assistance to any one. The Force here is Nine Companies of a new raised Battalion, which have not been incorporated Three Months ; the Arms they have are unserviceable ; those Fire Locks which do fire, go off at Half Cock ; the Cartridge Boxes are good for nothing ; but allowing they were an old Battalion, and well armed, under our present Predicament, I could not detach a Man. The Communication between this and Benares is entirely stopped by Land and by Water. I hope Major Crawford's Regiment will open the Communication. No Dawks have come in from the Westward since the 18th. I hope the above Statement will make it appear clear to you the Impossibility of detaching any People.

Enclosed in
Mr. Græme's
Letter.

“ I make no Doubt but you could get the Force you require from Major Hardy's Corps, as his Troops are of a long Standing, and more in Number than we have.

“ Dinapore,
26th Aug. 1781.

A true Copy.
(Signed) J. K.

“ I have the Pleasure to remain,

Sir, &c. &c. &c.
(Signed) Ar. Ahmuty.”

" To Edward Wheler, Esquire.

" Sir,

Mr. Græme,
dated 28th
August.

" All regular Communication between the Company's Territories and Benares, having been shut for these last Ten Days, I deem it incumbent on me to acquaint you with such Particulars as have come to my Knowledge, through a different Channel.

A Detail of the Commencement of the Disturbances at Benares, and the first fatal Consequences produced by them, you have no Doubt received from the Governor General; the Account reached this on the 21st Instant, and on the 24th a Report of an Engagement between some of the Troops belonging to Chunar and Raja Cheyt's People, was current, but seemed to want Confirmation till last Night, when an Hircarrah belonging to a Gentleman who went up with the Governor General arrived here in Five Days from Benares; this Man tells me, that being on Board one of the Budgerows, he heard distinctly a constant firing during the whole Day near Ragnagur; that, in the Course of it, Two Officers, who appeared much wounded, were carried across the River to Benares; that our Troops were defeated after having expended all their Ammunition, and the greatest Part of them cut to Pieces. The Hircarrah says, the Governor General, and a Number of other Gentlemen, were in the City of Benares the whole Time, and did not leave it till some Time after Sun-set, when they all set out for Chunar; he likewise adds, that in consequence of an Attempt made soon after the above Affair happened, to seize the Boats, in which several Hundreds of them were inhumanly massacred, he, with Twenty-one others, found Means to escape, and were proceeding towards Buxar, but they had not gone many Cofs, before they found themselves surrounded, and the greatest Part of them soon fell a Sacrifice to their Pursuers.

" The following is an Extract of a Letter, I received this Morning, from an Officer of Captain Maxwell's Battalion, which marched from Burragong, to join Major Crawford, at Buxar.

' The chief Cause of my writing this is, a Piece of Intelligence which Captain Maxwell received when crossing the River, from three Officers who left Buxar this Morning, who had been on their Way to join Major Popham's Regiment. (They give the Particulars of the last Affair, which your Accounts mention to be a Battalion from Chunar.) It was a Detachment of Four Companies, with the Guns under the Command of Captain Mayaffre. They were attacked on their March through a Village, and cut off to a Man. Of the Body of Chasseurs (who were either with him on the March, or attempted to relieve him,) but 20 made their Escape to Chunar. They were a fine Corps, and had Two Guns attached to them, with a remarkable good Gunner. From these unfortunate Disasters, Popham's Detachment, which consisted of his own Regiment; and the Detachment of Artillery under Captain Mayaffre, is now reduced to Four Companies. His Regiment was first encamped at Murwadar, a Place distant about Two Miles from Benares. But where the Remainder is, I cannot find. Possibly made their Retreat good to Chunar. Eight Officers are said to have fallen; amongst these, was Captain Mayaffre, whose Head was cut off, and carried in Procession on a Spear, through Benares. The Governor is positively at Chunar. These Officers mention their having seen Major Crawford at Buxar, who is very anxious for our Arrival, but undetermined what to do. In the present Posture of Affairs, I do not see what possibly can be done. A considerable Force is not only on the Banks of the Caramnassa, but the whole Way from thence to Ramnagur. Our crossing the River, under such Circumstances, would most likely be attended with bad Consequences; for if we compared Matters, I think that Detachment of Mayaffre's, Four Companies of Sepoys, 99 Europeans, (the Number of the Chasseurs), with at least Four, if not more Guns, and those remarkable well served, is equal, if not superior to any Regiment of Sepoys. These Circumstances leave not a Doubt, that your Intelligence is better than any received.'

" As you will naturally be led to imagine, from the Intelligence of Major Crawford's Regiment being on its March to the Westward, that the present Disturbances in Rajah Cheyt Sing's Country, will soon be terminated, I deem it necessary to acquaint you with the Difficulties which, from certain Information I have received, they will have to encounter, before a Junction can be formed with any of our Troops in the Neighbourhood of Benares.

" On the Banks of the Caramnassa, Buchut Roy, at the Head of 2000 Horsemen, 4000 Peons, and Six Companies of Sepoys, with Four Guns, are ready to oppose his crossing that River. At Gauzipore, Bullub Ram is ready to assist Buchut Roy, with 2000 Horsemen, 4 or 5000 Peons, and Two Guns. And as Bulleah Meer Sheriff Ally, the Aumel of that District, with 400 Horsemen, Two Companies of Sepoys, and 2500 Peons, will march on the first Notice they get of the Advance of this Regiment beyond the Caramnassa, the above Force, who will find no Difficulty in forming a Junction, if necessary, may be the Means of harrassing and impeding (if nothing worse happens) the March of Major Crawford's Regiment. At Dinapore, as you will observe by the Copy of a Letter from Lieutenant Colonel Ahmuty, the Commanding Officer there, enclosed in mine of the 27th Instant, there are not more than Nine Companies of new-raised Sepoys, and that they have no Arms but what are unserviceable; it will therefore be in vain to expect Assistance from that Quarter, should any Misfortune befall Major Crawford's Regiment, not to mention the inevitable Destruction which these Districts will be exposed to in the
Case

- Case of such an Event, with other bad Consequences too dreadful to think of. I shall continue to communicate such Intelligence as I may receive. (a)

“ Chuprah,
28th August 1781.

“ I have the Honour to be,
Sir, &c. &c. &c.
(Signed) “ Charles Græme.”

- Read, from Book 688, the following Extract of a Consultation of the 28th September 1781, beginning at Page 507 of the same Book.

“ Fort William, the 28th September 1781:

“ At a Council; Present,
Edward Wheler, Esquire.

Rev. Dept.
Friday.

The Governor General absent on a Visit to Oude.

Collector of
Sircar Saum,
L. R. No. 581.

“ Read, the following Letter just received from the Collector of Sircar Saum:

“ To the Honble. Warren Hastings, Esq^r. Governor General, &c. Members of the Supreme Council.

“ Honble. Sir and Sirs,

“ It is some Time since Intelligence had reached me of Rajah Cheyt Sing's having sent Letters to many of the Zemindars within these Districts of an alarming Tendency, and one of that Nature addressed to Durg Dirjoo Sing, a Person who is possessed of a small Zemindarry on the Confines of Haussaypoore, was carried by himself to the Amul of that Place, who transmitted it to me. The Letter has the large Seal of Cheyt Sing's Government affixed to it, and contains an Invitation to Dirjoo Sing to join him with his People, and kill every European and Sepoy he meets with; two Zemindars of Sircar Saum had absconded and gone into Cheyt Sing's Country previous to my Knowledge of this Affair, and a Sézawul was sent to collect the Balances that were due to Government by one of them, named Bejey Saw, but he had not been able to realize any Part of them, and this Day I have received Accounts that Bejey Saw with a Body of 200 Armed Men has returned to his Tallooka and seized the Sezawul.

“ Futtu Saw is come into the District of Haussaypoore of which he has taken Possession, having driven all the Gomastahs and Servants of the Renter from the interior Parts of it; Govindram Misser the Aumil is still at Burragong, and has with him between two and three thousand Burkundosses whom I have taken into Pay, and sent thither with a View of preserving at the Appearance of Authority, but without a Hope of their being able to drive Futtu Saw out. He has been supplied with Money by Rajah Cheyt Sing, and is joined by Rajah Adjeet Mull, the Zemindar of Pergunnah Chawbarah in Sircar Saum, and by Genoo Ray, a disaffected Zemindar some Time ago expelled from his Zemindarry in the Vizier's Dominions; these three have collected a Body of about 8000 Men, and have, I am informed, 6 Guns with them.

“ The Inhabitants of Sircar Champarun continue perfectly quiet; but it is much to be feared that Disturbances from another Quarter will in a short Time be raised in that Part of the Country. The Vakeel of the Napaul Rajah lately presented a Memorial to the Committee of Revenues at Fort William, on the Part of his Master, laying Claim to some Tallooks adjoining to the Territories of the Muckwanny Rajah, which he wrested from him by Violence. An Abstract of the Petition was transmitted to me by the Preparer of Reports to the Revenue Department, who desired Information on some Points necessary to be ascertained, previous to a Decision being passed, which I have given him, and have not since received any Orders on the Subject. A few Days ago another Vakeel arrived here from Patna, and renewed his Demand, that the Tallooks should be given up to the Rajah. He was informed, that as a Petition had been delivered at the Presidency, the Matter did not rest with me, and that I should act agreeably to the Instructions that might be sent me; he seemed satisfied with this, but before he left Chuprah declared openly, that if his Claim was not immediately admitted, and the Places in Question put into his Hands, he would possess himself of them by Force.

“ I made Application to the Commanding Officer at Dinapore for Troops, when Captain Maxwell's Battalion received Orders of March; a Copy of his Reply to my Requisition I had the Honour to transmit you on the 27th ultimo. On the 7th Instant I again wrote to Colonel Ahmutty, to request he would even send Four Companies, if a Battalion could not be spared, into these Districts; but this he has also declined; a Copy of his Answer I now enclose.

“ Every Day produces fresh Instances of a determined Disposition in the Inhabitants of Sircar Saum to throw off all Subjection to my Authority; a few only of the principal Zemindars are now here, and the Rest, though repeatedly summoned to come in, have not paid the least regard to my Orders. Several Persons deputed into the Mofussil, as Aumeens and Hircarrahs, sent with Dustucks, under the public Seal of the District, and my Signature, have been abused and beaten, and obliged to return without executing the Purposes for which they were sent.

“ Chuprah,
15th September 1781.

“ I have the Honour to be, &c.
(Signed) “ Cha. Græme, Coll^r.”

" To Charles Græme, Esquire, Collector of Sircar Sarum, &c.

" Sir,

" I am much concerned at your Situation, and more so, as it is out of my Power to ease your Apprehensions since these late Troubles begun. If I had Two Regiments more of Sepoys, I had Requisitions made to me for different Detachments to employ them all. It was very distressing to me to be obliged to refuse them, as neither having the Power or Ability.

" This Regiment is not fit for Service, nor will it these Four Months; and to detach any Part of them in their present Situation, would be cruel, especially as an Opposition is expected, and also degrading of my Character as an Officer.—Another Reason why those People should not be sent out is, that they inculcate such a Habit of Laziness and lounging with each other, that it is the Ruin of a new Battalion should they not have any Thing to do.

" I have made Application some Time ago for a Reinforcement, and have Reason to believe Troops are on their March; when they arrive, I will endeavour to assist you, but at present I am in a very defenceless State.

" Dinapore,
September 11th 1781.

" I have the Honour to remain, &c.

(Signed)

" Ar. Ahmuty.

A true Copy.

(Signed)

" J. Kneller.

(Signed at the End of the Consultation)

" Edw^d Wheler.

John Macpherson."

Read, the following Extract, from the printed Minutes, beginning at Page 252 of the same.

" Affidavit of Captain Davy.

" Captain William Davy, private Persian Translator to the Honourable Warren Hastings Esquire, Governor General of Fort William in Bengal, &c. &c. maketh Oath and faith, That he understands the Persian Language, and that the Paper hereunto annexed, is a true and faithful Translate of the Persian Version of the original Hindoo Deposition, both hereunto annexed, to the best of this Deponent's Skill and Belief.

" Sworn before me this 12th Day
of December 1781.

" William Davy."

" E. Impey."

" Translation of the Deposition of Contoo Dofs, rendered into English from a Persian Version of the Original in the Hindoo Language, written by Bunny Mull Moonshy, according to the Interpretation of Bauboo Juggut Sing.—The Deponent, and the Writer of the Persian Translate, sworn before Sir Elijah Impey, one on the 2d, and the other on the 5th of December 1781.

" On the First of the Month Ramzan, Wednesday, in the 23d Year, Bauboo Soojaun Sing, appointing Diaram Aumeen, sent him to Banaris; Diaram came, and made a Proclamation through the City, that whoever protected in his House the Dependants of the English, or the Property of the English, should be considered as a Criminal, and his House be seized.

" Written by Contoo Dofs."

" Affidavit of Captain Davy.

" Captain William Davy, private Persian Translator to the Honourable Warren Hastings, Esq. Governor General of Fort William in Bengal, &c. &c. maketh Oath and faith, That he understands the Hindoostan Language, being the Language of the Deponents Dadjoo Sing and Gobindram Misser; and that he faithfully and truly explained to the said Deponents the Contents of the annexed Affidavit, in the Hindoostan Language, before they had sworn the same.

" Sworn before me this 22d Day
of December 1781.

" W. Davy."

" Warren Hastings."

" Affidavit of Dadjoo Sing and Gobindram Misser.

" Dadjoo Sing, and Gobindram Misser, make Oath, according to the Practice of their Religion, and say, That about the 12th of the Month of Baudoon, the Deponent Dadjoo Sing received a Perwannah or Letter from the Rajah Cheit Sing, dated the 4th of the said Month of Baudoon; and that, about the 18th of the Month Kavar, the said Deponent received a second Perwannah or Letter from the said Rajah Cheit Sing, bearing Date the 10th of the Month Kawwar; that both

(both those Perwannahs or Letters were perused by the Deponent Dadjoo Sing, and shewn by him to the Deponent Gobindram Misser, who read them also; and the said Perwannahs or Letters were immediately sent to Mr. Græme at Chuprah, by the Deponent Dadjoo Sing.

" And these Deponents further say, That having perused the annexed Papers in the Hindoo Character, marked Num. 7 D and Num. 7 E, they are the same Perwannahs or Letters which the Deponent Dadjoo Sing received as aforesaid from the Rajah Cheit Sing.

" Sworn before me this 22d Day
of December 1781.

" Dadjoo Sing,
Gobindram Misser."

" Warren Hastings."

" Affidavit of Captain Davy.

" Captain William Davy, private Persian Translator to the Honourable Warren Hastings Esq. Governor General of Fort William in Bengal, &c. &c. maketh Oath and faith, That he understands the Persian Language, and that he received from Gomauny Lall, a Hindoo, who he believes understands both the Hindoo and Persian Languages, a verbal Interpretation in Persian of the annexed Papers, written in the Hindoo Language: And the Deponent further saith, That the English Papers hereunto annexed, are true and faithful Translations of the said Hindoo Papers, made from the verbal Interpretation in Persian of the said Gomauny Lall, to the best of this Deponent's Skill and Belief.

" Sworn before me this 12th Day
of December 1781.

" W. Davy."

" E. Impey."

" Translation of a Letter from the Rajah Cheit Sing to Dadjoo Sing, written in the Hindoo Language and Character.—This Version made from the verbal Interpretation of Gomauny Lall, a Hindoo Moonshy.

" Complimentary Introduction.

" Great Misunderstandings have come to pass between me and the English; I therefore direct you, with your People, to join me the Moment you see this Order; every Encouragement and Support shall be given you by me—Let your Mind be at Rest, and come with Speed.

" Wherever you meet with either Europeans or Sepoys, plunder and cut them off—Consider this as particularly enjoined.

" Written the 4th of the Month Baudoon.

" Supercribed by Cheit Sing in his own Hand, ' The Contents approved.'

" The Cover directed to Dadjoo Sing, and sealed with the Seal of the Rajah Cheit Sing."

" Translation of a Letter from the Rajah Cheit Sing, to Dadjoo Sing, written in the Hindoo Language and Character.—This Version made from the verbal Interpretation of Gomauny Lall, a Hindoo Moonshy.

" Complimentary Introduction.

" It appears that you are united with the English—I therefore write to you, that living as you do under my Protection, the taking part with them will be attended with bad Consequences to yourself.

" I direct that, immediately on the Arrival of this Order, you join the Rajah Futteh Sing, and see the Enemy; in this only you will find your Advantage—Consider the above as most strictly enjoined.

" Written the 10th of the Month Kawwar.

" If you act according to these Orders, you will obtain Honour thereby.

" [Supercribed by Cheit Sing] ' The above is strictly enjoined.'

" The Cover directed to Dadjoo Sing, and sealed with the Seal of the Rajah Cheit Sing."

Read, a further Extract from Page 241 of the printed Minutes.

" It was also heard that Futteh Saw, and Genoo Roy, and Rajah Ajeet Mull, &c. had resolved to attack the Captain, because Letters had come from the Rajah Cheit Sing to all the Zemeeendars, to this Purport, ' Wherever there are Dependants of the English, kill and drive them out.'

(Signed at the End of the Deposition)

Denoo Sing."

Read,

Read, a further Extract from Page 236 of the printed Minutes.

“ Translation of the Deposition of the Moonshy Patnimul.—The Deponent sworn before Chief Justice Sir Elijah Impey, 2d December 1781.

“ The Deposition of Patnimul Moonshy. On the last Day of the Month of Ramzan, in the Year of the Reign Twenty-three, the Gentlemen went to Chunar. I was unable to accompany them for want of a Conveyance. Without Remedy, I remained in the House of one of the Inhabitants for Eight Days. The Aumeen Diaram daily caused a Proclamation, to this Purport, to be made through the City; ‘ In the House of whomsoever a Person belonging to the English Gentlemen may be secreted, let the Owner bring him to the Aumeen’s Kutcherry and deliver him up; otherwise, (upon Proof) in the House of whomsoever a Person belonging to the English shall be found, the Owner thereof shall be (considered) as a Criminal to the Government of the Rajah, his House and Property shall be destroyed, and his Belly shall be ript open.’

Read, a further Extract from Page 241 of the printed Minutes.

“ Translation of the Deposition of Ram Sing, Jemmadar.—The Deponent sworn before Chief Justice Sir Elijah Impey, November 26th 1781.

“ The Rajah Futteh Saw, and Genoo Roy, and Ajeet Mull, united themselves all Three together, and bound themselves by Oath; and these were the improper Resolutions which they had agreed to; that they would cross the River Gogra, and establish their own Authority there, for Letters had arrived from the Rajah Cheit Sing at Benaris, in which he said, ‘ All the English are cut off; the Government of the English is overturned; I have taken Possession of the Country; do you, the Zemeedars, establish your Authority also in those Districts.’—It was likewise publicly reported, that the Rajah Cheit Sing had sent Fifteen thousand Rupees in Specie to the said Zemeedars, to raise Men, and kill and drive out the Dependants of the English wherever they might be.

(Signed at the End)

Ram Sing.”

Read, a further Extract from Page 242 of the printed Minutes.

“ When I arrived at Ram Kolah, which is about Fifteen Cofs from my Situation, I heard, from the general Reports of the People, that the Rajahs Ajeet Mull, and Futteh Saw, and Genoo Roy, who had been expelled from their Zemeedaries, and resided with the Rajah Cheit Sing in the Country of Benaris, had all Three, by Orders from Saadut Ally Khan and Rajah Cheit Sing, marched from thence, and crossed the Gogra, and taken Possession of their Lands; and that the Rajah Cheit Sing had assisted the said Rajahs with Five and twenty thousand Rupees to drive out the English, [directing] that they should drive them and all their Dependants out of their Districts.

(At the End of the Deposition)

“ Hurdeaut Sing,
Sealed with his Seal.”

Read, a further Extract from Page 238, of the printed Minutes.

Translation of the Deposition of Doond Sing, Commandant.—The Deponent sworn before Chief Justice Sir Elijah Impey, November 26th 1781.

“ It appears from the Letter of Ram Sing Jemmadar, stationed at Mutcholi, that the Rajah Ajeet Mull, the Rajah Futteh Saw, and Genoo Roy, had engaged themselves to each other by Oath to cross the Rivers Gogra and Surjoo, for as much as they had received a Letter from the Rajah Cheit Sing, and the Sum of Fifteen thousand Rupees, to cut off the English in the District of Surwur, and drive them out; and Letters have arrived from Futteh Saw, to all the Zemeedars, great and small, to withhold the Collections, and not to pay a single Daum to the English; and the said Futteh Saw sent near Two hundred Men, with Matchlocks, into the Jungle of Burragong, and near to Kunkooa. After Three Days, the Three Rajahs crossed the River, and encamped in the Jungle; and it was reported from all Quarters, that the Zemeedars had shut up all the Ghauts on the Rivers, and sunk all the Boats; and I wrote an Account of these Things to Major Macdonald and Captain Williams, and told them that there were great Disturbances in the Country, and that there were Reports also that the Rajahs would cross the River.

(At the End.)

“ Doond Sing, Commandant, not knowing to write either Persian or Hindoo, had made his Mark.”

Read,

Read, a further Extract from Page 237, of the printed Minutes.

(Translation of the Deposition of the Moonshy Gore Perhaud.—The Deponent sworn before Chief Justice Sir Elijah Impey, 2d December 1781.

“ When the Gentlemen marched for Chunar I was not informed of it. I knew it about Four Gurries after. In Terror for my Life, I secreted myself in the House of Bauboo Duffan Ram; I continued undiscovered for One Day; the next Day the said Bauboo Duffan Ram said to me, “ To-day there has been a Proclamation through the City to this Purpose, Whoever has secreted a Follower of the English in his House, let him produce and deliver him up, otherwise, on Discovery, his House shall be seized, and he himself shall be severely punished. I cannot keep you in my House, go from my House to some other Place.” Without Remedy I put on the Habit of a Fakcer, and took shelter in the Temple of Arnapoorna.

“ Gore Perhaud.”

Read, a further Extract from Page 255, of the printed Minutes.

“ Affidavit of Nathaniel Middleton Esquire.

“ Nathaniel Middleton Esquire, on his Oath, saith, That he left Lucknow on the 19th August 1781, and joining the Nabob Vizeer at about Ten Cofs distant, proceeded with him towards Banaris. with an Intention to meet the Governor General, who was expected shortly at Lucknow: That about Three or Four Days after his Departure, he heard of the Disturbance at Banaris, and of the Massacre of Three European Officers, with a Number of Sepoys, at the Instigation of Rajah Cheit Sing, which prevented the Governor General’s setting out for Lucknow, as he had intended; and on his Arrival at Doudnagur, on the 24th of the same Month, he received imperfect Accounts, through the Channel of the Vizeer’s public Intelligence, of the Retreat of the Governor General and his Party to Chunargur; and the same Account, as well as many others, set forth, that the Rajah Cheit Sing had issued his most positive Orders to all the Zemeedars and Officers of his Government, to put every European to Death that they could lay hold of; to seize and severely punish any Natives who should be found in the Service of or connected with the English; and in general, to use every Means in their Power to promote an Insurrection throughout the Country; for which they should be liberally rewarded: That he had also written Perwannahs, or Letters, to many of the Zemeedars of the Vizeer’s Country, encouraging them to raise Disturbances in their respective Districts, and to assist him with Troops; for which he promised them large Sums of Money: That this Report was made to him repeatedly, through various Channels, and implicitly credited not only by himself, but he firmly believes by the Vizeer and every Man in his Retinue.

“ Sworn this 27th Day of November 1781,
before me, “ E. Impey.”

(At the End)

“ Nathaniel Middleton.”

Read, a further Extract from Page 257 of the printed Minutes.

“ The Deponent further saith, That both from Observation and Information, he doth believe that a general and universal Insurrection took place, before the 15th of September, in all the Country to the Eastward of the Gogra, from Mangee to Baraitch, and on its Western Banks from the Borders of the Banaris Districts to the Extremity of Kheirabad; that it was created and fomented by the Agents of Rajah Cheit Sing, disaffected People at Fyzabad, and about the Vizeer’s Court; and that the Expulsion of the English was its Object. In the Districts of Gooruckpoor, and indeed in all the Pergunnahs below Fyzabad, it was generally asserted, and the Deponent never heard the Assertion contradicted, that the Rajah Cheit Sing furnished the principal Zemeedars, particularly the Rajahs Futteh Saw, Genoo Roy, Ajeet Mull, Zalim Sing, and Perty Pall Sing, with considerable Sums of Money, in order to subvert the Force they collected on this Occasion; and that he granted them ostensible Certificates under his Seal, engaging to discharge whatever Expence they might incur in the Service of the Insurrection. These Certificates and Perwannahs they received, or pretended to have received, under the Seal of the Vizeer, confirming them in their hereditary Zemeedaries, and appointing them Aumils out the Part of the Sirkar in their respective Pergunnahs, gained them an unbounded Influence over the Inhabitants. The Aumils of the Country in general were obliged to fly from their Stations; the Nujjees and Sebundy joined the Insurgents, or dispersed; all Ferry-boats were sunk or destroyed; many of the Dauck Hircarrahs were slain, and the rest obliged to fly, which effectually cut off all Correspondence, as well as Communication, and the Country remained in a State of Distraction which cannot well be described, until the Beginning of October; when the News of our Success at Banaris, and the Nabob’s Return to Lucknow, calmed the Tumult.

“ Sworn this 26th Day of November
1781, before me,
“ E. Impey.”

“ Alexander Hannay.”

Read, a further Extract from Page 246, of the printed Minutes.

“ My further Deposition is as follows :

“ On the Night of the same Day that the Army from Chunar was defeated, about Two Ghurries of the Night remaining, Bauboo Soojaun Sing arrived from Lutteefgur at Ramnagur. I heard from several Persons, that the said Bauboo had given Orders to his Troops and Chiefs, to make a Night Attack on the Governor General and the other Gentlemen who were in Mahadew Dafs's Garden. Accordingly, he employed his Troops in bringing Bamboo Ladders, and loading them on Boats, and every one was preparing for the Attack.

(Signed at the End)

“ Gudgerauge Sing.”

Read, a further Extract from the printed Minutes, beginning at P. 233, as follows :

“ Translation of the Declaration of Hyder Beg Khan, attested before Chief Justice Sir Elijah Impey, November 26th 1781.

“ When I arrived at the Seray of Saume, the Governor-General, Mr. Hastings was in the Fort of Chunar. I was detained at the Seray by the Swelling of the River Burnau. The Vakeel of the Rajah Cheit Sing came to me, and delivered to me thus the Message of the said Rajah.—“ I [Cheit Sing] have not been in any Manner deficient in my Obedience to the Gentlemen of high Rank [the English].—The Governor General arrived at Benares.—At the Instigation of Owlan Sing, Mr. Markham brought Two Companies, and put me in Arrest.

“ About Twelve o'Clock my People, stretching forth their Hands, brought me out from thence—For the Safety of my Life I came to Ramnagur, and from thence to Lutteefpoor,—After that, a Force came from Chunar to Ramnagur.—Owlan Sing wanted to seize upon Ramnagur. My People stood upon their Defence; an Engagement followed, and the Troops of the Governor General were cut off. I am now determined not to pass by aught which may be in my Power to execute. Do you (i. e. this Deponent) write thus to the Vizeer of the Empire, “ That if Support is given to me, I will collect together an Hundred thousand Men, I will go even to Calcutta, and I will totally annihilate the English Government.” I replied to the Vakeel, “ that this Conduct, and these Declarations, would be productive of Evil to the Rajah.—When the Companies came to confine the Rajah, he should have gone that Moment to the Governor General.—People say that he hesitated whether he should, or not, attend the Governor. If the Governor General had had any ill Intentions towards him, he would have called together the Company's Forces, who were stationed in different Parts—To what Purpose was it to come alone to Banaris? Or he would have seized him upon the Road. Such Intentions on the Part of the Governor General, from this Retrospection, are not to be conceived. If a Master and a Ruler exerts his Authority, still there is no Cause for Fear and Apprehension. On these Subjects, with which you are unacquainted, I will communicate Circumstances as they are. His Highness is, in his Life and in his Fortune, joined and united with the Company, and the English Gentlemen. The whole of his Dominions is from them (or is theirs), nor does he wish that there should be any Distinction between his and theirs. Such Regard more especially does he pay to the firm and perfect Friendship which always subsisted between the Governor General and his Highness the late Nabob, that he never will be led to deviate, even the Point of a Hair, from the Sentiments and Wishes of the Governor. As soon as his Highness hears these Things, he will march immediately with his Forces to meet Mr. Hastings. Notwithstanding the Governor General has repeatedly written to the Vizeer to forbid him, yet his Highness will now come on his own Determination. The English Forces too are near at Hand, they will speedily arrive, and the Punishment will be severe. It is not well for the Rajah; he will be torn up by the very Roots.—To threaten also that which is out of his Power to execute, is improper; the Rank of the Rajah is nothing more than that of a Zemendar; no one will pay Regard to his Attempts, and a small Force will be sufficient to chastise him. Far better will it be for him to lay aside such Thoughts as these, to implore Pardon of the Governor General, to give up his Forts, and send back to him the Boats and the whole of the Baggage; or rather, it would be better that he himself should go alone, and with his Hands bound, into the Presence of the Governor.”

“ Again he brought this Message from the Rajah: ‘ I can no longer rely with Safety on the English. If you say thus, do you interpose, obtain Pardon for my Faults, and take upon yourself to settle the Subsidy.’ I said in Reply, ‘ Your Crimes have been too great; you have attacked the Troops of the Company. I cannot presume to take upon myself to settle your Affairs, and to obtain Pardon for your Crimes. If you have actually resolved on a Change of Conduct, return the Boats and the Baggage, and give up Ramnagur, Lutteefpoor, and Pateeta. Supported by such Proofs, I will once endeavour to obtain a Pardon for you; to grant or to refuse will rest with the Governor General.’ The Person who brought the Message said in Answer, ‘ The Intentions of the Rajah are to seize upon the Fort of Chunar, and to extend his Government as far as Calcutta, and you tell him to deliver up Ramnagur, Lutteefpoor, and Pateeta!’ I said, ‘ Then the Rajah, it appears, aspires to the Empire, yet his Rank is only that of a Zemendar! these Attempts will draw down Destruction upon him; he will be extirpated in a Moment.’ After this

Conversation,

Conversation, he promised to return the Boats, but he never performed his Promise. An Animosity to all the English, plainly and evidently appeared from the Language of the Rajah's Vakeel: he repeatedly said, that he would go even to Calcutta, and that he would expel the English, nor would he be deficient in aught which he had the Power to execute. When he found that he had nothing to hope from my Interposition, he began to act hostilely towards me also. He denied me Boats to cross the Burna, and he directed the Tribe of Gurkbunsee to attack me in the Night. During the few Days that I continued there, we were obliged to keep ourselves ready for Action, and be upon our guard Day and Night. In the Neighbourhood of Jounpoor, the People of the Rajah wounded several of the Stragglers belonging to the Cavalry in his Highness's Service, who were coming to join me, and carried off some Horses. And the People stationed at Azumgur, who came in to me, set forth, That Nadir Shah, the Son of Azum Shah, Zemeedar of Azumgur, which was formerly under the Government of Cheit Sing, had, by Directions from the Rajah, gone to Azumgur and raised Disturbances. And the Vakeel of Cheit Sing, in the Course of his Conversation, said, that the Rajah had sent Forces towards the Carramnassa, and even to the Walls of Patna; and that Letters were gone to the King, to Nujuf Khan, and to Sindiah. Zaulim Sing, formerly expelled from Amurdeh, was at Budlapoor, in the Government of Cheit Sing: He also went to Amurdeh, in the Territories of the Nabob, and raised Disturbances. It appears that the People of Budlapoor accompanied Zaulim Sing. Such were the Reports communicated to me by the People of that Place. Finding it impracticable to cross the Burna, where I was, without Boats, I marched from thence, and crossing higher up, where the River was fordable, I proceeded to join the Governor General.

"This Account of what I heard, and of what I saw, I have truly and faithfully related. There may be a Difference between the Idioms of the Hindostan and Persian Languages, but there is none in the Sense. I swear by the Almighty, that I have truly wrote, without Diminution or Addition, all that I heard and all that I saw, and nothing but the Truth.

"Hyder Beg. That which is written is true."

"Sealed with his Seal."

Read, a further Extract from the printed Minutes, beginning at Page 126, of the same, as follows:

"The following is a Catalogue of Cheit Sing's whole Force, which has been since delivered to me by one of his principal Officers; and as it made a Part of a sworn Affidavit, I admit and credit it as genuine. It is certainly not exaggerated.

"List of the established Forces in the Service of Cheit Sing.

"Cavalry, Sepoys, Matchlock Men, &c.

Cavalry,	—	—	—	—	1,700
Select Troops, or Body Guard, Horse and Foot	—	—	—	—	700
Sepoys	—	—	—	—	1,150
Matchlock Men	—	—	—	—	1,800
Attached to Bullam Dafs, Horse 300, Foot 500	—	—	—	—	800
With Soojaun Sing, Cavalry and Infantry 500, with 2 Guns, Sepoys and Artillery Men, 340	—	—	—	—	840
With Munnear Sing, Cavalry and Infantry	—	—	—	—	700
Total Established Troops	—	—	—	—	7,690

Troops entertained after the Arrival of Cheit Sing at Lutteefpoor.

First, entertained at Lutteefpoor, Matchlock and Sword Men	—	—	2,000
Second, Nujeeb, Sword Men from Lucknow	—	—	1,000
Total	—	—	3,000

Troops assembled from different Places.

Horse and Foot with Juggur Dew Sing	—	—	—	500
Matchlock Men arrived with Bukht Sing, by Order from the Rajah	—	—	—	1,200
With Gomaun Sing, sent for by the Rajah, Matchlock Men	—	—	—	500
From the Fougedar of Biddevee arrived, Matchlock Men	—	—	—	1,000
Rajeeputts of the Tribe of Rugbunsee from Kurraukut	—	—	—	3,000
Arrived with Dillun Sing, Fougedar of Mukurun Badshahpoor, Matchlock Men	—	—	—	1,500
Cavalry and Infantry arrived with Rezza Cooli Khan, from Mirzapoor	—	—	—	300
Rajeeputts collected from Agoree and Purwah, by Dia Lutchoo	—	—	—	500
Of the Tribe, or Cast of Khummaur, collected by Soojaun Sing	—	—	—	1,000
Sword and Matchlock Men with Ramjeeawun	—	—	—	2,000
	—	—	—	11,500

Total Troops in the Service of Cheit Sing — 22,190

"To which are to be added, Husbandmen and Adventurers who took up Arms voluntarily, making the foregoing Number amount to near Forty Thousand."

"These

" These Forces were divided between Lutteefpoor, Pateeta, and Ramnagur. The best reputed of them were at Pateeta, and the great Mals, composing the last Corps, with a Part of the others, at Lutteefpoor with the Rajah, who had fixed his Residence at that Place since his Flight from Shewallah Ghaut.

" Before I proceed, it may not be improper to state the other Resources on which he, not very unreasonably, depended for lengthening the War, if not for Success in the Course of it.

" First, his Fortresses; of which there are many, and some of considerable Extent and Strength, erected in various Parts of the Zemecdary. Of these the Two Principal are, Bidjeygur and Lutteefpoor. Ramnagur scarcely deserves to be named with them; and Pateeta has been rendered considerable only by its having been a capital Scene of his Opposition, and of our Victories.

" Bidjeygur is a Fort erected on the solid Rock of a Hill, rising to the Height of 745 perpendicular Feet from the level Ground. It lies about Fifty Miles in a South-east Direction from Chunar. It was the Depository of all his and his Father's Treasures.

" Lutteefpoor is a large Fort, built with Stone, and surrounded by Hills, and, either from Neglect or Design, obstructed from distant View by Trees and thick Shrubs surrounding it. It lies about 14 Miles Eastward from Chunar.

" Pateeta is a very large Town, surrounded by a Rampart of Earth, extending to a great Distance beyond it to the Hills adjoining. The Fort itself is a small square House of Stone, itself fortified with Four round Towers, and inclosed with a high Rampart, and a Ditch which is in most Parts broad and deep. Its greatest Advantage against an Enemy, to whom Delay was Defeat, was that it was invincible to its Assailants.

" Ramnagur has been described already. The other Forts, whatever their Consequence under a different Train of Successes might have been, are of none to the Events of this Narrative.

" His next great Resource was his Wealth; on which he looked, and thought himself invincible; an Expression which I borrow from one of the meanest of his Dependants. It is credibly affirmed, that he inherited from his Father, Bulwant Sing, a complete Crore of Rupees, to which it is believed that he made considerable Additions.

" The Distresses of our Government, and the Power and Number of its Enemies, may also be reckoned, though Negative, yet amongst his Resources. The rest were delusory, which the false and violent Counsels of his Brother Soojaun Sing, and his Buxey Suddanund, imposed on his Inexperience, and the Pliancy and Aptitude of his Disposition.

Read, a further Extract from Page 248, of the printed Minutes.

" The Deponent further says, That after the Detachment from Chunar was repulsed near Ramnagur, and obliged to retreat, Soojaun Sing and the Buxey Suddanund arrived with Troops at that Place, and that by Orders from the Rajah they prepared Scalling Ladders, &c. in order to make a Night Assault on the Garden of Mahadew Dals; that Boats were prepared, and Guns and Troops marched down to the Ghaut of Ausi Sungum; that the Sepoys belonging to the Deponent refused to cross the River until they had obtained some Refreshment, having been without Food for Two Days; that the Night passed away without any Thing being done, and that the Governor General on that Night quitted Benaris, and arrived at Chunar; that Soojaun Sing and Suddanund Buxey wrote a Complaint to Cheit Sing against the Troops under the Command of the Deponent the next Morning; and that Soojaun Sing sent a Company of his own Sepoys to take Possession of the Garden of Mahadew Dals; that they plundered the Property of the Gentlemen at that Place, and returned to Ramnagur.

(At the End of the Affidavit)

(Signed) " Sheakh Mahommed Aumeen Mhiur."

" Sworn (the Contents being first explained to the Deponent by William Davy, Esquire,) this 3d Day of December 1781.

(Signed) " E. Impey."

Read, a further Extract from Page 249, of the printed Minutes.:

" List of the Established Forces in the Service of Cheit Sing.

" Cavalry, Sepoys, Matchlock Men, &c.

	Number.
Cavalry	1,700
Body Guards, or select Troops, Cavalry and Infantry	700
Sepoys	1,150
Matchlock Men	800
Attached to Bullum Dans	800
With Soojaun Sing	500
Sepoys and Artillery Men with Two Guns	340
With Munnear Sing	700
	7,690
	Troops

Brought forward — 7,694

“ Troops entertained after the Arrival of Cheit Sing at Lutteefpoor.

First, entertained at Lutteefpoor	—	Matchlock Men and Sword Men	2,000
Second, — Nujeeb	—	Sword Men from Lucknow	1,000
			3,000

“ Troops assembled from different Places.

Infantry and Cavalry with Juggurdeave Sing	—	—	500
Matchlock Men arrived with Bukht Sing, by Orders from Rajah	—	—	1,200
D ^e with Gooman Sing, sent for by the Rajah	—	—	500
D ^e from the Fougedar of Bidduwy	—	—	1,000
Raujpoots of the Tribe of Kugbunsie from Kurraukut	—	—	3,000
With Dillun Sing, Fougedar of Mukurun Baudshaapoodmate	—	—	1,500
Cavalry and Infantry arrived with Ruzza Rool Khaun	—	—	300
Raujpoots collected from Agoree and Purwah by Dea Lutchoo	—	—	500
D ^e of the Tribe of Cummur collected by Soojaun Sing	—	—	1,000
Sword and Matchlock Men with Ranju Awun	—	—	2,000
			11,500

Total Troops in the Service of Cheit Sing — 22,190

To which are to be added Husbandmen and Adventurers who took up Arms, making the foregoing Number amount to near 40,000 Men.

(Signed) “ Sheakh Mahommed Aumeen Mhiur.”

“ Sworn (the Contents being first explained to the Deponent by William Davy, Esquire) this 3d Day of December 1781.

(Signed) “ E. Impey.”

Read, a further Extract from Page 125, of the printed Minutes.

“ I must not omit, in this Place, an Instance of Vengeance which marks the sanguinary Character of Cheit Sing, and too strongly proves, that if the other Excesses committed by his People were not authorised by his express Order, they were perpetrated under the Influence of his Example, and the Knowledge of his Inclination.

“ Fourteen Men of the Corps of Rangers had been left sick at Mirzapoor, when the Remainder of Major Popham's Detachment marched under the Command of Captain Mayaffre, to Ramnagar. They were made Prisoners, and sent to Lutteefpoor. They arrived there on the 3d of September, about the same Time that News was received of Captain Blair's Action at Pateeta, which happened on that Morning. What Provocation they gave, or whether any, is not known: It is surmised, but I know not the Authority, that One of these unhappy Men expressed a Joy on hearing that our Arms had been successful. They were all butchered on the Spot, and almost in the immediate Presence of the Rajah, except one Man, who made a Shift to crawl with a mangled Body to the neighbouring Woods, where he subsisted for a few Days, returned to the Fort, received Mercy, and is still living, and in our Camp.

Read, a further Extract from Page 220, of the printed Minutes.

“ To the Honourable Warren Hastings, Esquire.

“ Honourable Sir,

“ I had the Honour to address you Yesterday from Lora, and I now advise you of my having this Morning taken Possession of the Fort of Lutteefpoor, the Rajah having evacuated it Yesterday Afternoon, and pushed across the Hills to Bidjeygur with most Part of his Followers; those remaining, amounting to about Seven or Eight Hundred, followed his Example. At my Approach I found one of the French Soldiers, who informs me, the rest were inhumanly massacred about the 4th Instant; that he received a Wound and pretended to be dead, until the barbarous Rascals had quitted the Place, and then he crawled out to the Hills, where he lay concealed for several Days.

(Signed at the End of the Letter)

“ J. W. Crabb.”

Read, a further Extract from Page 264, of the printed Minutes.

“ Affidavit of John Honore Mordelait, Private of the Company of Chasseurs.

“ John Honore Mordelait, Native of Corbell, a Province in the Isle of France, declares upon Oath, That being sick at Mirzapoor, he was left behind with Fourteen of his Comrades, himself included

included, all of whom belonged to the Company of Chasseurs commanded by Captain Doxat, when the said Captain marched with the Troops which composed the Detachment commanded by Captain Mayaffre: That upon his Departure, the Rajah of the Place made them come within his own Premises, for the greater Safety against the Thieves which surrounded them: That on their representing they had no Money to supply themselves with Food, he caused them to be given something to eat every Day by a Banian: That he comforted them, and assured them, that upon seeing what passed round his Seraglio, he sought for Means to transport them to Chandernagore: That from that Time he did not return: That the Command having then devolved upon the Second, he had them called before him on the Thirtieth, and gave them Two Rupees each, to serve for the Journey of Two Days they were to take: That he let them know his Orders were to send them from thence; and that he had also received Orders to sink all the Boats passing by Mirzapoor: That during this Time, Fifty of his People were sent to seize their Arms, and that those People took an Inventory of what belonged to the Company: That the next Day they were obliged to begin their Journey, with their Baggage placed on Camels, which they were obliged to mount; and those who refused, received violent Blows with a Whip: That during their Route every Sort of Indignity was offered to them: That they spit in their Faces; and beat them so, that on the second Day one of his Companions was so happy as to die: That the Road they took was through narrow Passes, between Mountains; and that with the Circuits they made, he believes the Journey to Laitiffghur, where they arrived the 2d of September, was more than 40 Cofs: That at the Close of the first Day they stopt at a small Fort in the Patis, where their Ill-treatment was redoubled: That being arrived at Laitiffghur, the Persons who came with them dispersed: That they were surrounded for Two Hours, and remained there, among about Two or Three thousand People, who insulted them grossly; and particularly accused them of having assassinated the Rajah of Gwallior: That one of their Companions, named Francois, was taken before the Rajah, and declared to them, at his Return, that the Rajah had assured him that in case he brought the French Company to him, he should be provided for: That afterwards they were conducted out of Laitiffghur in the same Manner as before, guarded by some Sepoys and other armed Men, to a small fortified House beyond Laitiffghur, One Cofs on the Road from Beejahghur: That those People remained there to guard them: That they had nothing either to eat or drink given to them: That the next Day, being the Third, a Chief of Laitiffghur, with Ten Sepoys, and about Forty armed Men, made them go out to the Distance of a Musket Shot from the House: That they tied their Hands behind their Backs; and that in this Position they told them to eat; shewing them Provisions in Baskets at some Distance: That after having amused themselves for an Hour or two with their Misery, these Barbarians drew their Sabres and began the Massacre: That the Deponent had a Bayonet passed through his Body, and a violent Kick on the Reins to make it come out: That in this Situation he feigned Death; and Two of his Companions falling upon him covered the Deceit: That the Murderers retiring after this Carnage, he had Strength enough to retreat to the Jungles, Twenty Paces from the Place: That he past the Night at the Mercy of the Tigers: That on the next Day being parched with Thirst, he went down to a Brook to drink: That he was seen by some Country People, and carried to the Place which he had left the preceding Day: That the Inhabitants assured him his Life was in no Danger: That their Chief gave him Eight Pice every Day for his Wife and himself, which Subsistence was continued to him by means of a Guard, which was mounted and relieved every Day from Laitiffghur. That he did not recollect the Persons of any of the Murderers among the People here: That on the 20th, the Day the Rajah fled from Laitiffghur, after he and his Troops had passed near the Spot where the Deponent was, he went to Laitiffghur unmolested, and was even set at Liberty by the Inhabitants: That in the Night from the 20th to the 21st he was obliged to lie concealed to save himself from the People, who were pillaging on all Sides: That the next Morning, at the Entry of Major Crabb, he was discovered, and fortunately placed in Safety from all further Pursuit. The Deponent moreover declares upon Oath, That he believes the Massacre proceeded from a deliberate Act, and that it could not have been occasioned by any Cause, his Companions and himself being too sorrowful to shew any Sign of Joy, as they had abandoned themselves to Death after the Ill-treatment they had met with: That on the contrary, when on the Morning of the Massacre they heard the Report of the Cannons and Muskets, they said to each other softly, that their Destruction would be the infallible Consequence, in case the Rajah's Troops should lose the Battle: That even at this Communication of Ideas there were none of their Guards nor any other Persons present to hear them: That their Conversation on this Subject passed when the Noise of the Cannons and Muskets was heard, when it was broad Daylight: That their Murderers did not arrive from Laitiffghur till about Eleven o'Clock: That Two Hours passed in making them take off their Cloaths, Hats, &c.: That they were led in their Shirts to the Place where the Murders were committed; and that it was about One o'Clock in the Afternoon when this Act of Barbarity took place.

" Sworn before me,
this 5th Day of December 1781.
(Signed) " E. Impey."

(Signed) " Mordelait."

Read,

Read, a further Extract from Page 226 of the printed Minutes.

“ To the Honble. Warren Hastings Esquire, Governor General, &c.

“ In the Jungles a little Distance from this, I have discovered a small fortified Place, in which, it appears to me, the Europeans were put to Death: Some of their Hats, Shoe-brushes, and Pieces of their Coats, were found in it. I have not been able to discover any Remains of their Bodies.

(Signed at the End of the Letter)

• “ Lutteefpoor,
8th October 1781.

“ Thomas Blair.”

Read, from Book 518, already delivered in, the following Extract of a Consultation of the 4th September 1781, beginning at Page 138, of the same Book.

“ Fort William the 4th September 1781.

“ At a Council; Present,
Edward Wheler Esquire,

Secret Dep.
Tuesday.

The Honourable the Governor General absent on a Visit to the Northern Provinces.
Lieutenant General Sir Eyre Coote, K. B. absent on Service at Fort St. George.

“ The Acts of Duplicity and Disaffection recited in the Governor General's Letter addressed to Rajah Cheyt Sing, are of a most serious and alarming Nature, and aggravated by his Reply, which is couched in Terms of the highest Disrespect. It was therefore no longer safe to continue in his Person the full Exercise of those Powers which the Rajah seemed to have both the Inclination and the Means of abusing, but under these Circumstances it became absolutely necessary to take upon the Spot such Measures as appeared most likely to bring him back to a Sense of his Duty, and to support the Authority vested in this Government over the Zemindarry by the Treaty entered into by the present Vizier Asoph ul Dowlah in the Year 1775.

“ The Governor General judged it proper to order him into Arrest; and the subsequent Treachery of his Conduct has too clearly evinced that a stricter Degree of Restraint would not only have been justifiable, but necessary; for whilst the Rajah was professing the deepest Contrition for his former Conduct, he appears to have been concerting a Plan to assert his Independency against that Government which raised him to his present Situation, and to which, as a Tributary, the Rajah owed Obedience.

“ I join with the Governor General in most sincerely lamenting the Fate which attended our Sepoys, and the Loss of three brave Officers who fell in the Tumult.

“ I approve the Choice made by the Governor General of Baboo Ofsan Sing to administer the Revenues and Government of the Zemindary of Benares.

(Signed at the End of the Consultation)

“ Edward Wheler.”

Read, the following Extract of a Consultation, of the 8th October 1781, beginning at Page 450, of the same Book:

“ Fort William, the 8th October 1781.

“ At a Council; Present,
Edward Wheler, and } Esquires.
John M^rPherson, }

The Honourable the Governor General absent on a Visit to the Northern Provinces.
Lieutenant General Sir Eyre Coote absent on Service at Fort St. George.

“ The Board taking into Consideration the Circumstances of the rebellious Conduct of Rajah Cheyt Sing, and being desirous to prevent any ill Effects from his Endeavour to cause a Disaffection in the other Zemindars of the Country, and at the same Time to manifest their Determination to support the Authority of the Governor General, as well as to promote the Peace and Security of the Inhabitants of these Provinces,

“ Resolved, that the following Proclamation be published and circulated throughout the Provinces.

“ The daring and unexampled Treachery of Rajah Cheyt Sing to our Governor General at Benares on the 16th August last, and the outrageous Cruelty of the said Rajah to those Officers and Sepoys of the Company, over whom Chance gave him an Advantage, are too notorious to be particularly related in this Proclamation.

Proclamation
relative to
Rajah Chiet
Sing.

“ But it is the Duty of this Government to declare to all those who are dependant upon or connected with their Administration, that they are unanimously and most firmly resolved to punish in the most exemplary Manner Acts of such Rebellion towards the Company, and of such Insult to the Honour of the whole English Nation.

“ From

" From the Time that the English were obliged to send Forces to this Country under Colonel Clive, to punish those Nabobs who had unjustly attacked and murdered the peaceable Servants of the Company, or in other Words, from the Time the English took upon them, in their own Defence, the Administration of these Provinces, the Company and the whole English Nation had but one Wish, and their Orders to the Representatives were continually, " that they should act with Justice to every Rank of People in this Country."

" It is well known how the Laws of England protect even the lowest against those who are highest in Power, and it is further well known, that the Company, and at Length the Parliament and King of England have endeavoured to bestow, upon every Native of this Country under their Protection, the same Security that an Englishman possesses in England."

" It was in the true Spirit of these noble Intentions of the Company, and the whole English Nation, that the present Governor General was selected to be at the Head of their Affairs in these Provinces, for it was well known that he was beloved by the Natives, that he respected their Laws and their Customs, and spoke their Language, that he was an Enemy to all Oppression."

" One strong Proof of his possessing such proper Disposition was testified to the present Rajah Cheyt Sing, who derived his whole Power as Rajah, from the Generosity and Intercession of the Governor General at Benares in 1773."

" In that Year it is well known, that when Mr. Hastings settled the Treaty of Benares with the late Vizier, the Nabob Sujah ul Dowla, it was with the utmost Difficulty, and as a great Favour, that he obtained the said Vizier Nabob the Sonud that constituted Cheit Sing Rajah of Benares; this Act of Goodness he did from his Respect for the Memory of the former Raja Bulwant Sing, and in Hopes that Cheit Sing would ever shew himself grateful to the Company."

" Upon the same Principles of Justice, when the late Vizier in 1776 ceded the Zemindary of Benares to the Company, the Rights held under the Nabob, his former Sovereign, by the Raja, were not only continued to him by the Governor General under the Government of the Company; but new Rights were confirmed upon him Rights which gave him extraordinary Power: These were the Possession of the Fort of Tuan Pone, the Coinage of the Mint, and the Duties of the Cotwalli."

" The whole of these Grants were settled upon the Raja Cheit Sing, with every Testimony of the Confidence of this Government; but how deep has been his Ingratitude to his Benefactor! how unwarrantable his Rebellion against the Company!"

" And what must be the Repentment of the Company, and of the whole English Nation, when they hear that a Raja, so favoured by them, attempted the Life, and cut off the Followers of that very Governor General, who had been to him the Channel of their Favours, and who hearing of his foolish Attempts at Independance, had trusted himself with a slender Guard in Benares, hoping, by his personal Influence, to recal the Rajah to his Duty, and to get him to assist the Company in the present War—a War, very expensive to the Company, but which, in its Operation, kept the Dominions of the Rajah in Peace and Prosperity; but when the Company and the Nation are given to understand further, that the said Raja had attempted, by Presents and Promises, to foment Distrust and Disaffection among other Zemindars dependant upon the Company, their wonted Mercy can have no Excuse; their Orders must be strong and unalterable to punish, in the severest Manner, such Examples of Ingratitude and Disaffection; and, at the same Time, to reward, with the fullest Favour, those Zemindars, and others dependant upon our Government, who shew their Steadiness and Attachment upon the present Occasion. (a)

(Dated at the End of the Proclamation)

" Fort William, 3d October 1781."

(Signed at the End of the Consultation)

" Edw^d Wheler,
John Macpherson."

Read, the following Extract of a Consultation of the 29th October 1781, beginning at Page 511, of the same Book:

Secret Dept.
Monday.

" Fort William, the 29th October 1781."

" At a Council, Present,
Edward Wheler,
and
John Macpherson, } Esquires.

The Honable. the Governor General absent on a Visit to the Northern Provinces.
Lieutenant General Sir Eyre Coote absent on Service at Fort St. George.

" Read, another Letter and Enclosure (as follow) from the Governor General.

From Governor General.

" Gentlemen,

" I attribute it to official Omission, that the Arrival of Mr. Macpherson, and his taking his Seat at the Board, has not been publicly notified to me; and as I have received private Informa-

don, which leaves no Doubt of this agreeable Event, I shall not wait until it may be announced to me in Form, but consider Mr. Macpherson as a Member of Administration, and address the Board accordingly.

" I have the truest Satisfaction in congratulating Mr. Macpherson on his Arrival, and the Board on the Acquisition of a Member, of whom a long and intimate personal Acquaintance enables me to pronounce, that he is by Abilities, Integrity, and Disposition, eminently qualified to assist and support his Colleagues in the present arduous Conjunction, and to cultivate and improve that Harmony in our Councils, so necessary to the Reputation and Success of our Government.

" The Resident here has communicated to me a Copy of a Proclamation sent him from the Board, with their Orders to publish it.

" As the Proclamation is circular, and contains some Matters not applicable to the State of these Districts, I apprehend that it has been transmitted to Mr. Markham by Mistake.

" I observe, with great Pleasure, that the general Tenor of the Board's Proclamation, coincides with that which I have issued; but as it was written before Information of the actual State of Affairs here could be conveyed to them, it contains some Declarations which might tend to weaken the Influence of the new Rajah, which I have taken great Pains to establish, as the most certain Means of restoring and preserving the Peace and Tranquillity of the Country. I have, therefore, desired the Resident to postpone the Publication of it, until he receives your further Orders, and, I hope, you will agree with me in revoking that which he has received for its Publication.

" You will easily believe, that nothing less than an Apprehension of public Inconveniences could induce me to suppress a Proclamation so honourable to my Character, and so flattering to my Feelings; the liberal and generous Support which the Board have therein afforded me, and their strong Testimony in Favour of my Conduct, inspires me with the liveliest Sentiments of Gratitude and Affection, is an ample Recompence for the painful Scenes which I have gone through, and the best Encouragement to my further Exertions for a happy Termination of the Troubles, which we have so unexpectedly experienced.

" It will appear to have been framed at a Time when my Communication with the Board was known to be obstructed, and issued without my Participation. It will, therefore, have the happy Effect of proclaiming to the World, the Harmony of Sentiment and Decision which prevails in our Councils, and cannot fail to strengthen the Influence and Credit of our Government, beyond any other Principle which could operate on the public Opinion.

" In my Letter of the 29th ult. I advised you, that Muhipnarain, the Grandson of the late Raja Bulwunt Sing, was to be invested with the Rauge and Zemindary of Benares the next Day. This was accordingly performed, and the new Rajah proclaimed with great Form and Solemnity.

" As a great Number of Persons were present at the Ceremony, and I knew that Reports were invidiously and industriously propagated, to induce a Belief of a Reconciliation with Cheyt Sing, I thought it absolutely necessary, in order to obviate the Consequences which would ensue from any Prospect of an Accommodation, to declare publicly, that Cheyt Sing, and his Brother Sujan Sing, by their Treachery and Rebellion, had forfeited the Protection of our Government, and that I never would consent to the Restoration or Readmission, in any Form, of either of them, or any of their Descendants, either to the Rauge Zemindary, or any Kind of Authority, nor to any Conditions of Pardon, either for their Lives or Fortune.

" Previous to this Event, I had issued a Proclamation, of which I now enclose you a Copy, and must request your Indulgence for not having transmitted it sooner, in which my Intention has been prevented by the Number of Objects which have required my immediate and personal Attention.

" I purpose to forward to the Board, with all possible Dispatch, a succinct Narrative of Transactions from my Arrival at Benares. This will also contain many other Matters which ought, in the regular Order of Business, to have been reported to the Board at the Time in which they passed, but for the above Circumstances have been delayed.

" It is a very flattering Reflection to me, that my Sentiments and Proceedings have been exactly conformable to those of the Board, in a Situation of great Difficulty and Delicacy, and at a Time when I could not obtain the Advantage of their Counsel, as it is a Circumstance which will convey to the World the clearest Conviction of the Rectitude of my Intentions, and the Propriety of my Conduct.

" Benares,

18th October 1781.

" I have the Honour to be,

(Signed) " Warren Hastings."

" Be it known to the Zemindars, Aumils, Ryots, and all the Inhabitants of the Zemindary of Benares, &c. That, whereas Raja Cheite Sing by many Acts of Rebellion and Perfidy, and the Murder of a Number of English Officers, Sepoys, and other Dependents on the Government of the Company, who were unarmed, has totally forfeited his Right to the Zemindary of Benares, &c. and become amenable to the Justice of the Company; it is therefore made known and proclaimed, that Cheite Sing, and his Brother Sujan Sing, and their Descendants,

18 Z

have

Inclosed in the
Gov. General's Letter,
18th October.

have from this Period no further Right or Interest in the Zemindary of the said Province, and all the Zemindars and Ryots are required to withhold their Obedience and Submission from him; otherwise they will be punished accordingly: And whereas, by the Sedition of Cheite Sing, this Country has fallen into Confusion and Alarms, Assurances of Protection are hereby given to the Zemindars and other Inhabitants of this Country, and they are invited to repair to their former Places of Residence, and resume their usual Occupations in perfect Security: And lest any should entertain Apprehensions on Account of their Misdemeanors; it is declared, That the past Offences of all the Inhabitants of this Country, who shall conform to this Order, are pardoned. Further, every Zemindar and Aumil who shall, within the Space of One Month, repair to the Presence of the Governor General, or Major William Popham, Commander of the Forces in the Field, and make their Submissions, shall be pardoned; and such as on Account of the Distance of the Road, or any other valid Reasons, cannot attend in Person, must send the Vakeels for this Purpose with proper Credentials: But be it known, that the Persons of

* Sic in Orig. Rajah Cheit Sing, and his Brother Sujan Sing are * exempted from this Pardon; and the Town of Gopygunge, of which the Inhabitants have been particularly active in this Rebellion, and have committed many Acts of Sedition, and even Bloodshed on many of the Dependants of this Government, shall be destroyed, and the Inhabitants thereof punished, on a due Enquiry into their Crimes; such Persons as, availing themselves of these Troubles, shall have plundered and oppressed the Inhabitants of the City of Benares; and such as shall have committed Murder on peaceable Passengers, shall be rendered accountable for the same in the due Course of Justice.

" The above is a true Copy of the Proclamation, made public in the Persian Language, at Benares, on the 29th September 1781. (a)

(Signed) " E. Hay, Sub".
(Signed at the End of the Consultation)
" Edw^d Wheler,
John Macpherson."

Read, the following Extract of a Consultation of the 3d December 1781, beginning at Page 691, of the same Book.

" Fort William, 3d December 1781.

Secret Dep.
Monday.

" At a Council; Present,
Edward Wheler, } Esquires.
John Macpherson, }

The Governor General absent on a Visit to the Northern Provinces.
Lieutenant General Sir Eyre Coote, K. B. absent on Service at the Presidency of Fort St. George.

" Resolved that the following Reply be written to the Governor General.

" Honourable Sir,

" We have received your Letter of the 21st of November with the 13 different Enclosures and authenticated Vouchers, in which you have very fully explained in Detail your final Settlement of the Province and Revenues of Benares.

" We had the Honour of receiving some Time before, your Letter of the 1st November, in which you communicated for our Approbation your Establishment of a Native Police, with the necessary Regulations for the Protection of the Civil and Religious Interests of the Inhabitants and Visitors of the City of Benares.

" Though you have very properly confined the Communication of those respective Arrangements to separate Dispatches, it is with the sincerest Pleasure we find, upon the most attentive Perusal of them, that we are justified in confirming your Arrangements under one united Head of Approbation.

" Distressed as we are in our Finances, it was neither for the Honour nor the Interest of the Company to raise the Jumna of that Zemindary beyond 40 Lacks, the Sum which you have stipulated. Having reserved the Military Command of the Province, exclusively to the Company and their Troops, there can be no Danger of a second Convulsion, and the Renterhips and Jagheers which you have bestowed upon those Hindoos who proved their Attachment to us in the late Troubles, will serve to strengthen our System by holding forth our Justice and Gratitude to a Government.

* Sic in Orig.

At this Distance, and unacquainted as we are with the * Scene of your Revenue Establishment, and the Characters and Dispositions of the principal Inhabitants, we depend implicitly upon the Labour and Impartiality with which you have evidently investigated and regulated this important Concern; had we been even upon the Spot we could have given you but little Assistance; the Difficulties in which you were so critically involved, during the Troubles of the Province, and your personal Influence and Assiduity, with your Knowledge of the Language, gave you the most decided Advantages to ascertain the State of the Country, the Merits and Rights of its principal

Inhabitants, and finally to establish the Administration best adopted to the Prosperity of the People, and the Stability of our Controul.

" If there are any Points of your Adjustments in the Revenue which we would wish to discuss particularly, we shall leave them till your Return, when you can satisfy us in every Respect.

" Upon the Subject of your Establishment of a Native Police in the City of Benares, with the very meritorious Protection you have secured to all Indians for the free Indulgence of their Religious Institutions in that Capital sacred to them in every Respect, we can speak with decided Conviction. The Object reflects Honour upon your Country; the Execution upon yourself.

" We observe with extreme Satisfaction the infinite Pains you have taken upon this Subject, we cannot suggest a possible Improvement upon the Regulations of the Police; you seem to have been anxious to form it upon the Ground of an Independance of the Rajah, and even of the Influence of the Resident. From this just Caution, the decided Power is lodged in the Chief Magistrate, and ultimately in a summary Degree. The universal good Character of Ally Ibrahim Cawn, whom you have placed at its Head, justifies every Confidence in him. But though the speedy Execution of Justice at a Distance from the Seat of Government, is found in most Countries a necessary Check upon the Perversion of Court Influence, we should be apt to suspect that the Powers of Ally Ibrahim Cawn may hereafter fall into Hands that may abuse their temporary Independance, yet we confess ourselves unable to draw the Line between the efficient Power necessary to command the Peace in this Country, even by its supposed Terrors, and the Power that is restricted from immediate Abuse, and yet should be effectual.

" We regret that the Incapacity of the more dignified Characters of the Gentoo Religion, to conduct the Management of such a Trust prevented you, and must ever do so, from promoting them to this high Office. If, at the same Time, it should be understood and published, that a Complaint from the higher Institutions of the Gentoo Religion, would always be considered by this Government as a sufficient Warrant for the Removal and Trial of this Officer, the Difficulty might be accommodated, but we only venture to hazard this Idea.

" Your guarded Attention to the Security and Convenience of the Pilgrims, and your Abolition of those Taxes and Embarrassments which had grown against them, from the Rapacity of a corrupt Government, are peculiarly to your Credit. Indeed, when we reflect upon the Progress which our Arms have made in this distant Country, and when we think of that noble tolerating Principle of our Nation, which glories in indulging Religions with civil Liberty, we cannot but consider the most humane and delicate Respect for the Religious Institutions of the Nations we have subdued, as a Justice * which we owe them, and in the Performance of which the Legislator must ever feel the most valuable Reward; even in a Political View, your Arrangements upon this Subject are interesting, and may lead to the most important Consequences. All Indostan, from the Source of the Ganges at Cape Comorin, is interested in the happy Regulation of the Police of Benares, and the unpoluted Tranquillity of its Colleges; the leading Marattas, with whom we are at War, are strongly attached to this supposed Residence of the Purity of their Religion. From these Considerations, we beg Leave to suggest to you, whether it would not be proper to publish in the different Languages of India, the Regulations you have adopted? A very short Time will spread them over all Indostan, which, with the Reports of the Pilgrims upon their Return, can not but impress the Natives with the mild Liberality and Attention of our Government.

" Even among the different Nations of Europe, whose learned Enquires have been of late particularly directed to the Religious Antiquities and early Knowledge of the Sciences in this Country, it will be Matter of Satisfaction and Admiration, and of consequent Credit to our Government, that Benares, in which you were so critically exposed, should remain so deeply indebted to your careful Regulation and Protection. Upon our Parts, we shall only claim the Mérit of not being indifferent to so great an Object in its liberal as well as political Light; and we shall heartily accede to any Measure which you may think proper to adopt, to improve or strengthen your Regulations. (a)

" Fort William,
the 3d December 1781.

" We are, &c.
Edw. Wheler,
John Macpherfon."

Read, the following Extract, from Page 234, of the printed Minutes :

" Translation of the Deposition of the Moonshy Gore Pershaud.—The Deponent sworn before Chief Justice Sir Elijah Impey, December 2d 1781.

" Without the Means of Escape, I was obliged to put on the Habit of a Fakeer, and with my Brother, take shelter in the Hindoo Temple Arnepobra, where I continued undiscovered for Eight Days. At length a Fakeer, for the Sake of the Reward, went to Girdhauree Laul, the brother of Diaram, Aumeen of Banaris, and said, that for a Recompence he would seize and deliver me up. The said Girdhauree Laul gave Five Rupees to the Fakeer, and sent Five-and-Twenty Peadahs along with him, who took me from the Temple, and confined me for Twenty-two Days in the Aumeen's Kutcherree. My Pen is unable to describe the Ignominy, and the Severi-

(a) Vide Appendix, N° CCLV.

ties which they inflicted upon me. After that, I was confined for Four Days at Ramnagar, and at length, on the 27th of Ramzan, in the Twenty-third Year of the Reign, I was tied Hand and Foot and thrown upon a Dooly, and sent away from Ramnagar to Lutteeipoor. On the Road, near to the House of the Chowdry Sewan, I saw a Number of Ladders made of Wood and Bamboos (about Forty or Fifty) lying on the Ground. I enquired of the Peadahs who guarded me, what those Ladders were intended for. They replied, that they had been intended for the Garden of Mehadev Dofs, but it was ordained that the English Gentlemen should live: They made their Escape, otherwise Bauboo Soojaun Sing would not have left one of them alive. Having heard this Reply, I remained silent.

“ Moonshy Gore Pershaud.”

Read, a further Extract, from Page 236, of the printed Minutes.

“ Translation of the Deposition of Bishen Sing.—The Deponent sworn before Chief Justice Sir Elijah Impey, December 2d 1781.

“ I had Two Locks of Muskets fixed on my Ears. Bauboo Soojaun Sing sent for me by Ram Kishen Hircarrah to come into his Presence.—He said, ‘ Deliver up the Trunks of Gold Mohurs which the Governor delivered over to your Care when he went to Chunar.’ I set forth, That I did not know any thing about such Trunks. He then gave Orders to the Sepoys to press the Locks hard, (saying) that without Severity I would not be prevailed upon to give them up; and then the Blood ran from both my Ears.

“ Written by Bishen Sing,

“ the 4th of the Month Ramzan, Year 23d.”

The Counsel for the Defendant informed the House, that they would next read, from the printed Minutes, such Part of the Documents relating to the Bidgegur Prize Money, as had not been read by the Managers for the Commons.

Read, the following Extracts, from the printed Minutes, beginning at Page 281, of the same.

“ Fort William, 23d May 1782.

“ At a Council: Present,

The Honourable Warren Hastings, Esquire, Governor General, President;

Edward Wheler,

and John Macpherson,

} Esquires.

Lieutenant General Sir Eyre Coote, K. B. absent on Duty at Fort St. George.

“ The Governor General delivers in the following Minute, and begs Leave to record his Correspondence with Major Popham on the Subject.

“ 23d May 1782.

“ Governor General.—I am much affected by the Letter which has been addressed by the Officers of Major Popham's late Detachment, in reply to the Demand made on them by the Board in their General Orders of the 23d of February. They declare, that, upon a Reference to my Letters, dated the 22d of October and 3d of November 1781, they cannot but be of Opinion, that they (i. e. those Letters) clearly and incontestibly invested Major Popham with full Power to order a Distribution of the Effects and Treasure found in the Fort of Bidjey Ghur. They remind me of the Conduct of the Troops, of which I myself have been an Eye Witness, and to whom every Degree of Merit has been repeatedly allowed; adding, “ how sensibly must the Honourable Governor General himself be affected, were he to see the Reward which he held out to those Troops taken from them by that very Power to whom they have looked up for Encouragement!” And they express their Hope, that “ the Board will be induced to permit them peaceably to enjoy what it is apparent from the whole Tenor of my Conduct I wished them to possess.”

“ I yet acknowledge, with a Conviction of the Obligation unchanged by the Reproach of it, the spirited and effectual Services which were performed by the Officers of Major Popham's late Detachment, and the Zeal which excited them. I receive and confirm their Attestation of the Wishes which were uniformly manifested by me, to bestow on them a Reward adequate to their Merits; and even that, though with some Difference in the Mode, which they assumed for themselves. But I deny that I ever “ invested Major Popham with a full Power,” or with any Power to order a Distribution of the Effects and Treasure found in the Fort, or that I had any such Intention, or that the Words which have been quoted from my Letters to prove it, are or can be taken in that Sense by any Construction, however forced.

“ When I left Benares, I had Hopes given me of a very different Termination of this Affair; I therefore suppressed the Letters which had passed between me and Major Popham respecting it. These are now become necessary for my Justification, and for that Purpose I do, not without much Reluctance, lay them in their connected Order before the Board, requesting that Copies of the other Papers which have been recorded on this Subject may be added to them by the

Secretary,

Pub. Dept.
Thursday.

The Governor General's
Minute and
Correspondence with
Major Popham.

Secretary, and that the Whole may be transmitted by the next Dispatches to the Court of Directors.

“ Notwithstanding the Want of Respect which has been shewn to me by the Officers of Major Popham's Detachment, I yet feel so warm a Remembrance of their Services, that I am unwilling to trust to the Equality of my own Judgment, in proposing the Step which may be proper to be taken for asserting the Rights of the Company, the Authority of Government, or the relative Claims of the Officers to a Participation of the Treasure and other Plunder acquired by the Surrender of Bidjey Ghur.

“ I will confess, that I am not solicitous to compel the Officers to refund all the Money which they have assumed; it would perhaps, with all the Aid of the Law, be impossible; nor am I now very anxious for the Use of it on Loan. We have it, though not immediately under its proper Term, nor tendered, as it ought to have been, by the Officers themselves.

“ The Points which I am most anxious to obtain are, the Establishment of the Right in whatever Manner, and a fair Distribution. I can scarce suppress a Degree of Relentment, even at this Distance of Time, when I reflect that many Officers to whom the Service was most indebted for the Reduction of the Province of Benares, and even this Government perhaps to its Existence, have been shared out by others who had no Part in any of the essential Actions of the Campaign, but came in just at the Close of it, to make their Fortunes by Treasures, in the Seizure of which the successful Exertions of others had enabled them to participate.

“ I must particularly refer to the Case of Major Crabb, whose Exclusion dishonours the Decision which passed it; I will not enumerate others.

“ I entreat the Board, for the Reasons which I have already alleged, to spare me the painful Office of proposing what may be necessary for their Conduct in this Business, presuming that they are now in Possession of all the Materials required for proceeding upon it.”

“ To Major Popham, commanding before Bidjegur.

• Benares, the 22d October 1781, 10 o'Clock P. M.

✂ [“ I am this Instant favoured with your's of Yesterday. Mine to you of the same Date has before this Time acquainted you with my Resolutions and Sentiments respecting the Rannee. I think every Demand she has made to you, except that of Safety and Respect for her Person, is unreasonable. If the Reports brought me are true, your rejecting her Offers, or any Negotiation with her, would soon obtain you Possession of the Fort upon your own Terms. I apprehend that she will contrive to defraud the Captors of a considerable Part of the Booty, by being suffered to retire without Examination; but this is your Consideration, and not mine: I should be sorry that your Officers and Soldiers lost any Part of the Reward to which they are so well entitled, but I cannot make any Objection; as you must be the best Judge of the Expediency of the promised Indulgence to the Rannee. What you have engaged for, I will certainly ratify; but as to permitting the Rannee to hold the Pergunnah of Kurteek, or any other in the Zemindary, without being subject to the Authority of the Zemindar, or any Lands whatever, or indeed making any Conditions with her for a Provision, I will never consent to it.

“ I am, &c.

(Signed) “ Warren Hastings.”

“ N. B. The initial and concluding Addresses of this Letter are omitted in the only Copy of it preserved by the Governor, but he knows that the Letter was familiar and not official.”

“ Dear Major,

“ Benares, the 3d November 1781.

“ My Duan, Contoo Bouboo has shewn me a Letter addressed to him from Panna, the Mother of Cheit Sing, intreating his Intercession that she may be relieved from the Hardships and Dangers of her present Situation, and offering to surrender the Fort of Bidjygur, and the Treasure and valuable Effects contained in it, provided she can be assured of Safety and Protection to her Person and Honour, and to that of her Family and Attendants; and that Contoo himself will undertake to conduct her out of the Fort to such Place of Security as she shall choose. As this Offer affords a Prospect of your obtaining Possession of the Fort, and the Wealth which it contains, without further Loss of Delay, I have judged it proper to accept it, and directed Contoo to repair to your Camp immediately with as many Doolies and Cauhrs as can be collected for the Conveyance of Panna, her Family, and such Necessaries as are indispensable to Women of their Condition.

“ You will be pleased, when Contoo arrives with you, to send a Messenger of your own, accompanied with one from him, to acquaint Panna that I have sent him conformably to her Request, to receive and conduct her with Safety and Honour to whatever Place she may choose as her Residence, and that I am willing to grant her now the same Conditions to which I at first consented, provided that she delivers into your Possession, within Twenty-four Hours from the Time of receiving your Message, the Fort of Bidjygur, with the Treasure and Effects lodged therein by Cheyt Sing, or any of his Adherents, with the Reserve only as abovementioned of such Articles as you shall think necessary to her Sex and Condition, or as you shall be disposed of yourself to indulge her with. If she complies, as I expect she will, it will be your Part to secure the Fort and the Property it contains,

for the Benefit of yourself and Detachment. I have only further to request, that you'll grant an Escort, if Panna should require it, to conduct her here, or wherever she may choose to retire to. But should she refuse to execute the Promise she has made, or delay it beyond the Term of Twenty-four Hours, it is my positive Injunction, that you immediately put a Stop to any further Intercourse or Negotiation with her, and on no Pretext to renew it. If she disappoints or trifles with me, after I have subjected my Duan to the Disgrace of returning ineffectually, and of course myself to Discredit, I shall consider it as a wanton Affront and Indignity which I can never forgive, nor will I grant her any Conditions whatever, but leave her exposed to those Dangers which she has chosen to risque, rather than trust to the Clemency and Generosity of our Government. I think she cannot be ignorant of these Consequences, and will not venture to incur them; and it is for this Reason I place a Dependence on her Offers, and have consented to send my Duan to her.

" Yours, &c.

(Signed) " Warren Hastings."

" Dear Sir,

" Camp, Bijee Ghur, 10th November 1781.

" I have the Honour to inform you, that last Night about Twelve o'Clock, the Grenadiers took Possession of the Western Gate of Bijee Ghur, after the Rannee had played with and deceived us from Ten o'Clock in the Morning, when she had agreed that it should have been given up to us.

" Permit me to request your Orders, Sir, with respect to the future Disposition of the Troops; and at the same Time, to beg Major Gardiner may have the carrying on what Works shall be judged necessary for the Repairs of the Fort of Bigee Ghur, as it is with the greatest Truth I assure you we are much indebted to his Labours and Services for the Fall of the Place.

The Honourable
Warren Hastings Esq.

" I have the Honour to be,
with the greatest Respect, &c.

(Signed) " W^m Popham."

" Dear Sir,

" Camp Bijee Ghur, 12th November 1781.

" I did myself the Honour, the Day before Yesterday, to inform you of the Surrender of this Place, and the Situation of Affairs at that Time.

" The Rhannee came out of the Fort with her Family and Dependants the 10th at Night, owing to which such Attention was not paid to her as I wished; and I am exceedingly sorry to inform you that the Licentiousness of our Followers was beyond the Bounds of Controul; for, notwithstanding all I could do, her People were plundered on the Road of most of the Things which they brought out of the Fort, by which Means one of the Articles of Surrender has been much infringed. The Distress I have felt upon this Occasion cannot be expressed, and can only be allayed by a firm Performance of the other Articles of the Treaty, which I shall make it my Business to enforce.

" The Suspicions which the Officers had of Treachery, and the Delay made to our getting Possession, had enraged them as well as the Troops so much, that the Treaty was at first regarded as void; but this Determination was soon succeeded by Pity and Compassion for the unfortunate besieged.

" The Women are now in Tents at a little Distance from the Camp, with a proper Safeguard; and I have sent into the Fort for those Conveniencies which are necessary to their Situation; and the Rhannee will have her Share of Fifteen per Cent. exactly paid her. She will remain here until such Time as Bearers and Carriages can be procured to convey her to Benares, where she wishes to reside, but she earnestly begs that she may not be dependant upon the old Rhannee, the new Rajah, or Ouffan Sing.]—She tells me that she has a House at Benares (that I believe in which the Nabob Saadut Ally now lives), also another at Gungapore about Four Cose from the City. Both these she hopes for from your Indulgence, and, for future Support, she most humbly submits to your Generosity. Cantoo Baboo is with the Rhannee; and as she has particularly requested that Captain Scott may pitch his Tent near hers, and accompany her on her Way to Benares, I have consented, and he will move accordingly.

" I have to request that you will give Orders for such a Number of Bearers and Coolies as can be collected, to be sent here immediately to conduct the Rhannee and her Family, &c. who are in all about Three hundred Women, besides Children. Thirty or Forty Coo-palas will also be necessary; and if some Bazaar is likewise sent, it will make the Journey perfectly convenient. I shall furnish a sufficient Escort. Every Means is taking to procure Bearers here, but I fear this Country will afford but very few, on which Account I hope many will come from Benares.

" Dhouda Buggut may justly be said to have occasioned the Rhannee's Sufferings, as he caused the Delay in the Surrender of the Fort. Bogwisdial the Buxey, on the contrary, acted with the greatest Honour; and should he survive the Fever he is now ill of, I think he will merit the Attention of Government. Chumput Roy also demands Praise for the Sufferings which his Attachment to our Government has drawn on him. He is likewise with the Rhannee.

" I have the Honour to be, with high Respect, &c.

(Signed) " W^m Popham."

" The Honourable Warren Hastings Esq.

" To

“ To Major Popham.

“ Sir;

“ Chunar, 14th November 1781.

“ I have received your Letter of the 12th, and sincerely congratulate you on the easy Conquest which you have made of Bidjy Gur.

“ It gives me great Concern that the Licentiousness of any Persons under your Command should have given Cause to complain of the Infringement of the smallest Article of the Capitulation in favour of the Mother of Cheyt Sing and her Dependants. I hope you will discover the Offenders, and oblige them to make Restitution, and also punish them in the most exemplary Manner. I rely on your Humanity and Justice to make her all the Recompence in your Power, by a scrupulous Attention to enforce the Performance of the remaining Stipulations in her Favour.

“ Bearers, Coolies, and other Conveyances have been ordered for the Women and their Effects. The Mother of Cheyt Sing, her Family and Attendants, may reside wherever she pleases; and she shall be put in Possession of such Houses as are her own immediate Property.

“ The Subject on which I am now to write is a very disagreeable and painful one to me, but indispensable. I have received Information which, though private, is certainly authentic, that you have already distributed One Dividend of the Treasure found in Bidjy Gur amongst the Officers and Troops on the Spot. If this be true, I am very sorry for it, as, on many Considerations, it appears to me that such Distribution is premature. I apprehend that it is a Proposition not to be disputed, that every Thing acquired by the Arms of a State belongs to the State which employed those Arms. By Charters and Acts of Parliament, the sole Right to all Conquests or Captures made by the Company's Arms were vested in the Company. It was however my Intention to have used my utmost Authority and Influence to have obtained for the Troops engaged in the Service against Cheyt Sing the whole Booty which might be found in Bidjy Gur or other Places. I regarded it as the due Reward of their Services, and Recompence of their Sufferings, but I never meant that they should seize it and scramble for it. Besides, if the actual Right was in the Army, at a Time like this, when the Exigencies of the Company are so great, surely they might have expected to have benefited by the immediate Use of it as a Loan. I had, I must own, such Confidence in your Discretion, that I did expect, if the Treasure found in the Fort should prove very considerable, you would not have proceeded to any Distribution of it until you had reported the Amount to the Board, and obtained their Sanction for appropriating it to the Troops, or at least that you would have represented it to me, as I am so near you.

“ It gives me still greater Concern to learn that you have excluded from any Benefit in this valuable Capture all the Troops not immediately acting in the Siege of Bidjy Gur. I have received a strong Representation from the Officers of Major White's Regiment of their Claim to an equal Share with the Troops composing your Detachment; and when I consider the Services and Sufferings of that Regiment, I cannot help being of Opinion that their Title is good. You will recollect that it was the first employed, and was exposed in Two Actions, where only Danger and Honour were to be expected; that it marched to our Relief at Benares, and has ever since been furnishing Detachments and Escorts to facilitate the Success of your Operations. Surely neither Justice nor Generosity will admit that a partial Distribution of Benefits should take place amongst Corps engaged in the same Service, and co-operating to the same Effect, because a Part of them happen to be employed at a Distance from the Place where such Benefits are immediately obtained. It will hardly be supposed by those Claimants that you could have overlooked their Pretensions, or not have expected that they would have urged them; and they will interpret so precipitate a Division of the Booty into a Design of precluding them from any Share in it. Whatever may be the Decision of the Board respecting the Treasure in Question, the Claim of the 6th Regiment is unquestionably as just as that of the actual Captors. I must therefore require of you to suspend any further Dividend or Distribution until the Orders of the Board respecting it are received, and I desire you will order and require the Officers, who have already shared, to refund the Sums which they have respectively received, and acquaint them if they do not they will be responsible to Government, and that such Sums, as well as what shall remain, are and must be subject to the final Decision of the Board.

“ Let me add, as a Suggestion worth your Attention, that if you do persist to decide by your own Authority on the Claims of the Captors, you may, and I foretell that this will assuredly prove so, withdraw the Question from our immediate Government to make it a National Concern. You might have expected every partial Regard from the Board, from myself especially, who have been a personal Object of your Operations, which we could legally bestow; and whatever we had decreed on so meritorious an Occasion would have received the undoubted Approval of the Company, with whom it would have finally rested; or have fallen, with their Displeasure, if they had not approved it, on us alone.

“ I am, &c.

(Signed) “ Warren Hastings.”

“ To

" To the Honourable Warren Hastings Esquire, Governor General, &c.

" Sir,

" Yesterday Evening I was honoured by your Letter, without Date, too late to reply to it by the Return of the Dawk.

" My most earnest Endeavours have been used in performing every Article of the Treaty of Capitulation in Favour of the Mother of Cheit Sing; and she will have the Whole of, if not more than, those Effects, &c. which were agreed to be given up. I have provided as many Bearers, Doolies, and other Conveyance, as will suffice for her Journey to Benares, which she began this Day, accompanied, at her own particular Request, by Captain Scott and Cantoo Baboo. I could have wished her to remain a Day or two longer, till more Conveniencies could have been provided; but as she was exceedingly anxious to move, I did not think it advisable to prevent her.

" It gives me the most sincere Concern to find, that a Conduct, which I flattered myself would have met with your Approbation, has unfortunately incurred your Displeasure; but I am the more sensibly hurt, as the Letters I had the Honour to receive from you, before this, gave me every Reason to suppose that you were of Opinion the Effects and Money in Bijee Ghur should immediately become the Property of the Captors, which Idea, so correspondent to my own and all the Officers Wishes, occasioned the Conduct I pursued.

" Alluding to the then proposed Capitulation, in your Letter of the 22d October, you are pleased to say, " I apprehend, that she will contrive to defraud the Captors of a considerable Part of the Booty, by being suffered to retire without Examination; but this is your Consideration, and not mine. I should be sorry that your Officers and Soldiers lost any Part of the Reward to which they are so well entitled.

" In the Letter which I was honoured with on the 3d Instant, you are pleased to give me the following Order, on the Supposition that the Rhannee would surrender the Fort:—" It will be your Part to secure the Fort, and the Property it contains, for the Benefit of yourself and Detachment; and I have only further to request, that you will grant an Escort to Panna, should she require it, to conduct her here, or wherever she may chuse to retire to."

" Convinced before of the Justness of the Detachment's Claims to the Property in the Fort, your so chearful and positive Acquiescence in the Opinion made me doubly happy to share amongst the Officers and Troops the Reward of their Services; and the Order conveyed to me in the last Extract from your Letter made me do it immediately, before a Separation of the Troops should take Place, which I regarded as the best Security against Jealousies and Suspicions that might naturally arise in case of Delay.

" Before the Fall of the Fort it was determined, agreeable to the general Sense of the Officers, that the Seniors should form a Committee for the Distribution of the Shares. Major Moses Crawford, the First of the Number, accordingly was appointed to command the Party to take Possession of the Fort. The other Members of the Committee went in with him, and have held the whole Power in their Hands ever since, without my having the smallest Interference, except to demand the stipulated Effects and Share of every Thing for the Rhannee.

" It would be disrespectful, as well as unnecessary, for me to enter into Arguments with you, Sir, concerning the Rights of the Company, from Charters and Acts of Parliament in their Favour; but even allowing, for the present, that the Right of Plunder was vested in the Company, I apprehend that your Order to secure the Fort, and the Property in it, for the Use of myself and Detachment, was a sufficient Authority for my sharing the Capture among the Officers and Troops under my Command; but more especially as the Minutes of Council, issued in General Orders, vested you with the full Powers of the Board; and, of course, any Decision you made was regarded as a final one of the Supreme Council.

" The Officers of the Detachment regarded also your generous and impartial Determination in their Favour with Veneration and Gratitude, as it saved them the Anxiety of Suspence, and was a Mark of your Approbation of their Services; yet, at the same Time, they did not admit a Doubt of the Contents of the Fort of Bidjie Ghur being their Prize.

" With respect to the Exigencies of the Company, every Officer of the Detachment would, I dare say, be ready to administer singly to their Convenience, as their Circumstances would allow; but to give in One Sum the Whole of their Property, without its being properly divided, they did not think would be expected, as a general Bond surely cannot be esteemed sufficient Security for every Individual.

" Regarding the Exclusion of Major White's Regiment, the Committee of Distribution will undoubtedly give Reasons for their Conduct, and the Officers of that Regiment will then be able to judge how far the Exclusion has been just, which, I believe, has been regulated by Custom.

" The Plunder being shared, and become the present Property of the different Sharers, I do not think myself competent to give an Order for a Refund. The Officers and Troops will judge how far they are liable to answer to Government for having received it. The Decision of the Board will, I am certain, be received with that respectful Attention it is their Duty to pay; and I beg Leave, Sir, to offer you my sincere Thanks for your promised Influence to make it favourable.

" From the Usages of all Services I have ever heard of, and had the Honour of being employed in, I was firmly of Opinion that the Right of Plunder was vested in the Captors. The In-

stances of Plunder being shared in this and other Countries, without any prior Application to the Members of Government, have been many; and it would be only, Sir, intruding on your Patience to enumerate them. I will therefore only add, ever happy in the Assurance of your Esteem and Friendship, that I hope, from your Indulgence, the Claims on the Part of the Company to be withdrawn; and that from your Acquiescence and Favour we may obtain the quiet Enjoyment of what, I have every Reason to believe, you will not think unworthy the Services of myself and the Troops under my Command.

" I have the Honour to be, with every Sense of Respect,
 • " Camp near Bijee Ghur, 16th Nov. 1781.

" Sir, &c.
 (Signed) " William Popham."

" To Major Popham.

" Sir,

" Chunargur, Nov. 18, 1781.

" I have this Day received your Letter of the 16th Instant. Since my private Letters have been received and quoted as Authority, I regret that they were not more guardedly written, and yet more that they were written at all. Their obvious Construction is, that I myself considered the Plunder of Bidjygur as so much the due Reward of the Officers and Soldiers whose Services had earned it, that I expressed it as decidedly theirs. Had my Letters been official, or intended for the strict Interpretation which you have given to them, I should have declared the same Sentiments in Substance, but in more warrantable Language. It is most probable that I should have signified my Opinion that the Officers and Soldiers were entitled to share between them the Whole of the Treasure and valuable Effects taken in Bidjygur; not as theirs by any positive or declared Law, or by the Right of Custom, but as the Effect of that Claim which Merit has to optional Bounty; that if the Amount had been even considerable, but not enormously great, I might have exercised the Authority with which I have been invested, to allow the immediate Distribution of it, that no Part of its Effect might be lost by Delay; but that if the Sum was so great as to become a public Object, I should certainly have hoped, that to remove the popular Envy which might attend its Appropriation to the Benefit of Individuals, it might have been tendered by the Officers themselves for the immediate Relief of the Company in the present Distresses, on Loan, for Bonds severally granted to each Sharer, not, as you supposed would be necessary, to the Whole collectively; which, as the Company's Bonds are negociable, would as effectually have secured their Property in them, as if the Sums charged to each Bond had been actually lent in the common Mode; but, at all Events, if I had thought it proper to refer the final Decision to the Board, I should have taken upon myself the first Responsibility of the Gift, by advising it, and becoming the Advocate of the Army for obtaining an Act of the Board for that Purpose. I am myself, knowing the Characters of the Gentlemen actually composing that Body, perfectly assured that they would have as heartily joined with me in such a Resolution, as I was disposed to propose it.

" If you thought my Letters conveyed the Sanction which you seem to attribute to them, I am sorry that you did not avail yourself of your intire Knowledge of my private Sentiments, however conveyed to you upon the same Subject; and I must now request that you will enable me to make them known to those, who, from this partial Selection of them, may have acquired a Right to be possessed of the Whole, by furnishing me with Copies of the Letters which have been written by my Secretary Major Palmer, as declaratory of them; particularly One dated the 10th November, which, I believe, comprises my Opinion and Wishes in the fullest and most positive Terms.

" It has been intimated to me, That a Suspicion, that the Treasure found in Bidjygur might, if reported before its Distribution, have been wholly taken by Government for the Benefit of the Company, was the Cause and Motive for the precipitate Division of it. I own it has that Appearance; and I am sufficiently mortified by the Idea which this Construction suggests of the Opinion which you must have entertained of my Sincerity, if you countenanced such a Precaution, since the Passages in my Letters, which you have quoted as ascertaining the Right of the Army, were, under a more favourable Supposition, more likely to have operated as Encouragements to apply for a Sanction to receive it with the Assurance of Success, than to seize it before it could be disputed.

" I am sorry that I am constrained to appear in a Character so different from that in which I hoped to have shewn myself, in Opposition to an Act done for the Benefit of the Army, instead of being the Instrument of promoting their Interest; I must bear, as I can, the Mortification of my present Disappointment, and satisfy myself with the Consciousness that I have been, and the Assurance that they will find it, by the Event, their best Friend and Adviser.

" In the mean Time you have declared, that the "Plunder being shared, and become the present Property of the different Sharers, you do not think yourself competent to give an Order for "A Refund." I am compelled by the Sense of my public Duty to protest, and I hereby protest against the Distribution, not as the Act of the Officers whom you have constituted a Committee for that Purpose, but as yours, the sole and whole Authority being yours, and Responsibility unalienably vested in you. I protest against the Exclusion of the others in Benefit of their own Pretensions, and against the Power granted them for that Purpose, as repugnant to the Principles of natural Justice, which forbid that Men shall be Judges in their own Causes, when a superior Judgment can be obtained.

" I shall prepare the Materials of this Transaction for the Information of the Board, but shall wait for your Answer, before I finally dispatch them.

" Sir,

" With the greatest Respect, &c.

(Signed) " Warren Hastings."

" N. B. To this Letter I never received any Answer."

" To the Honourable Warren Hastings, Esquire, Governor General.

" Honourable Sir,

" It is with the sincerest Regret we are informed by Major Popham, that the Distribution of the Prize Money taken at Bidjee Ghur is repugnant to your Ideas of Propriety and Justice.

" We did conceive that any Money and Effects (Warlike Stores excepted) taken consequent to a Capitulation, was the undoubted Property of those whose Lives were risked in the Acquisition.

" Consequent to your Order, any farther Participation is suspended, but we trust, from your Candour and Generosity, you will permit us to retain the Residue of what we had always understood you had regarded as our Property, and which now would have been untouched, had not your (supposed) Approval seemingly established the Rectitude of our Claim as incontestible. But, abstracted from this imaginary Admission of our Right, we were influenced to believe that no Doubt existed as to the Validity of our Pretensions, from many reiterated Precedents in Point occurring to our Reflection to confirm them.

" It is not to be imagined that Military Men are acquainted with the Niceties of Legal Distinction; the Usage of the Service can be their only Guide; and if they adhere strictly to that, and yet err, we do not apprehend that any just Imputation of Guilt can result from their Ignorance.

" Respecting a Resumption of the Sum already received, we fear it is impossible, the greatest Portion being already alienated; but we are very ready to submit what remains to your entire Disposal.

" As to the Claim of the First Battalion of Major White's Regiment (Captain Blair's) it was admitted the Moment the Case was clearly understood; but in respect to the other Battalion of that Regiment, we beg Leave to suggest the following Reasons for its Exclusion.

" In the First Place, a Return of that Corps, since the Commencement of the present Service, has never been transmitted to Major Popham; neither has Captain M'Dougall ever received any official Instructions from him whatever: Secondly, a Return of that Battalion has never been included in the General Returns transmitted to you, the Commander in Chief, or Military Secretary, as any Part composing this Detachment: And, thirdly, we believe it to be strictly consonant to Military Regulations, that Officers commanding Corps do return monthly to their immediate Commanding Officers, as well as to the Commandant of the Regiment or Brigade to which such Corps are attached.

" That Captain M'Dougal has made a Return to Major White (as is customary) we do not pretend to dispute; and does it not then inevitably follow that the same Rule should have been observed in respect to Major Popham, had Captain M'Dougal ever entertained an Idea of acting under his Command?

" We write this, Sir, under the clearest Conviction of your Regard, Candour, and Impartiality, and beg you will do us the Justice to believe that

" We are, with the greatest Esteem and Respect, &c.

" C. Crawford, Lieutenant,
R. Maxwell, Captain,
Ed. Humphries, Major,
Tho' Townshend, Lieutenant,
J. Campbell, Lieutenant,
C. Vernon, Lieutenant,
R^d. Sands, Lieutenant, Fireworker,
R^d. Morris, Lieutenant,
J. Noke, Captain,
Oliv^r Cacy, Lieutenant,
Ludovick Grant, Captain,
James Harwood, Lieutenant,
Alex^r. Macleod, Lieutenant,
J. H. Hutchinson, Lieutenant,
John Garstin,
E. O. Donnell, Lieutenant,
R. S. Perreau,
J. Fox Calcraft, Lieutenant,
J. P. Pigott,
G. Ball, Lieutenant,
P. Fallon,
John Gordon, Lieutenant,
B. Nofs, Lieutenant,
D. Reed, Lieutenant.

W^m Popham, Major,
Justly Hill, Captain, Artillery,
M. Crawford, Major,
A. Balfour,
James Denty, Captain,
Geo. Birrell, Lieutenant,
Alex^r Knox, Lieutenant,
R. Dumes, Captain,
J. J. Windwood, Lieutenant,
Thomas Brown, Lieutenant,
W. Lane, Major,
J. Hamilton, Lieutenant,
Ja^s Gellespie, Lieutenant, Artillery,
J. Underwood, Lieutenant,
W^m Crawford, Lieutenant,
P. Stewart,
W^m Pickett, Lieutenant,
John Morrison, Lieutenant,
Robert Bell, Lieutenant,
W^m Shipton, Lieutenant, Fireworker,
J. Belaffis, Lieutenant,
B. Bruce,
David Birrell,
James Lewis Lucadon,
W^m Comyn, Lieutenant."

" Chunargur, November 30, 1781.

" To Major Popham.

" Sir,

" Expecting your Arrival at this Place some Days earlier than it happened, I have delayed my Answer to the Letter which you, and the Officers of your Detachment, did me the Honour to address to me on the 19th Instant, on the Subject of the Claims preferred to me for a Participation in the Plunder of Bidjygar, by the Officers and Troops engaged in the Service against Rajah Cheit Sing, but not present at the Siege of that Fortrefs.

" In the present State of the Question, I do not think my sole Authority competent to the Acceptance of the Proposition made in the Letter. My Disposition is still more averse than my Authority is ineffectual to appear in the Character of an Arbitrator, and eventually subject to that of an Opposer of the Interest of Gentlemen, whose public Services, and personal Attachment, have given them the strongest Claims to my Esteem and Support.

" It is my ardent Wish that no Altercation, or Disagreement, may ever subsist between us, and that our only Intercourse may be Justice in public, and Kindness and Cordiality in our private Relations. For these Reasons, I must decline answering the Arguments upon which the Officers have supported the Justice and Propriety of the Disposition which has been made of the Treasure and Effects. But as the Result of the Conversation which I have had with you on this Subject, promises an equitable and impartial Mode of Decision, I shall transmit the Letter to the Board, with such Observations as the Sentiments of Candour and Confidence which it contains, as well as the great Merits and Services of the Detachment, intitle the Gentlemen to expect from me.

" I am, Sir, &c.

(Signed) " Warren Hastings."

" Chunargur, 30th November 1781.

" To Major Popham.

" Sir,

" I request that you will be pleased to represent to the Officers of your Detachment, with what Reluctance I return the Presents with which they have honoured me, and which I estimated not by their intrinsic Value, considerable as they are, but as Testimonies of the Affection of a Body of Gentlemen for whom I entertain the highest and best founded Esteem and Respect.

" Nothing less than the apparent Inconsistency which my Conduct would wear in retaining Presents of such Value, after the Opinion I have delivered concerning the Property of which they compose a Part, could prevail upon me to part with the Pledges of an Attachment for which I am so solicitous. But I shall ever preserve the most grateful Remembrance of the Sentiments which those Pledges are intended to convey.

" Although I cannot accept of Presents which I consider to be a Part of Property yet undecided, I am desirous of giving the Gentlemen of the Detachment a Proof that I do not mean to decline receiving any Marks of their Regard, which I think they can with Propriety bestow, or I accept; and this Proof is afforded me, by requesting they will indulge me with the Shamskrit Manuscripts which may be found in Bidjygar, where, I am informed, Rajah Cheyt Sing had made a curious and valuable Collection.

" I am, Sir, &c.

(Signed) " Warren Hastings."

" Read the following Letters from Captain John Hamilton,

Lieutenant P. Fallon,

——— Falvey,

J. Campbell,

Lt Ol' Carry,

C. Evelyn."

" To J. P. Auripl, Esquire, Secretary to the Honourable the Governor General and Supreme Council.

" Sir,

" In Compliance to the Orders of the Honourable Board of the 18th of February last, respecting the Plunder taken in the Fortrefs of Bejygar, I have the Honour to acquaint, for the Board's Information, that I am, at all Times, willing to abide by their Decision; but having incurred Debts to a considerable Amount from the Service of a Eleven Years in a Subaltern Line, I, on receiving my Quota of the Prize Money, remitted it to the Liquidation of those Debts, as being present at the Capture of several more important Fortresses, the Prize Money was, without Hesitation, immediately divided among the Captors.

" 15th May 1782.

" I have the Honour to subscribe myself, &c.

(Signed) " John Hamilton."

Officers who have shared in the Distribution of the Bejy Ghur Prize Money.

The Managers for the Commons stated, they should next read the Plan formed at the Time by Mr. Hastings, for the future Regulation of the Police, and for the Administration of Justice :

Read, the following Extract, from the printed Minutes, beginning at Page 148 :

“ Copy of the Plan for the Establishment of Police and Courts of Judicature in the Town of Banaris.

“ Whereas the Town of Banaris is, and has been for many Years past, totally deficient in every essential Regulation, usually established in all large and populous Places, for the Maintenance of Peace, and the Security of the Persons and Property of the Inhabitants: And whereas the said Place is the fixed Residence, or occasional Resort, of Persons of all Religions, from every Part of Hindostan and Deccan, and in Effect rather the capital Seat of the Religion of the Hindoos than of the Territory to which it immediately appertains; and from that Consideration alone, demands a more immediate Protection and Attention from the Powers of Government: for these Reasons, the Governor General, in virtue of the Powers vested in him by the Governor General and Council, and in the Name of the East India Company, doth hereby ordain and proclaim:

“ That a Person shall be invested with the Chief Magistracy of the said Town, with full and complete Authority over every Person, Inhabitant or Resident herein, for the Preservation of the Peace and Administration of Justice, with the Title of ‘ Chief Magistrate’ of the said Town of Banaris.

“ And it is further ordained and proclaimed, That to enable him duly to execute the said Duties so assigned him, Three Offices, as herein-after described, shall be established, in the Manner and with the Powers herein-after mentioned.

“ First.—A Cutwall; whose Duty it shall be to apprehend Persons who shall be guilty or accused of Murder, Robbery, Burglary, Theft, or any other Acts of Violence committed in the Town of Banaris against the Peace, Persons, or Property of the People, and to deliver over the said Persons to the Court of Criminal Justice, herein-after appointed and described; and to suppress and prevent all Riots and Disturbances in the said Town, with the Power of inflicting immediate Punishment, with Stripes of a Rattan, not exceeding Twenty, on any Offender: For which Purposes as aforesaid, a certain Number of Pykes or Peons in Monthly Pay, and distinguished by certain known Badges, shall be put under his Charge and Authority by the Chief Magistrate, to patrol the Streets at such Times as he shall appoint, and to be occasionally employed in executing the other Services of his Office. And the said Cutwall shall receive his Appointment from the Chief Magistrate, who shall also have the Power of dismissing him and appointing another, and of dismissing any of the Officers employed under him. And the said Cutwall is required to obey all Orders, relative to the Duties aforesaid, which he shall receive from the Chief Magistrate.

“ Secondly. One criminal Court or Fougedary Adaulut; which shall be composed of One Darogah and Three Mowlavies, Men of approved Integrity, and Skill in the Knowledge of the Mahomedan Laws, for the Trial of all Persons who shall be brought before them, and accused of Murder, Highway Robbery, Burglary, Theft, or any other Acts of Violence against the Peace, Persons, or Property of the People, committed in the said Town. And the Sooruthall and Futwah, or Proceedings and Sentence of the said Court, shall, on the Close of every Trial, be laid before the Chief Magistrate; who, after a due Examination thereof, shall return the same to the Darogah and Mowlavies of the said Court, with his Warrant for carrying the same into Execution; and the Darogah and Mowlavies of the said Court are required and commanded to carry the same into Execution. And the said Darogah and Mowlavies shall receive their Appointments from the Chief Magistrate, who shall also have the Power of dismissing them, and appointing others in their Room; and the Chief Magistrate shall have Power to establish Rules of Process for the said Court, which Rules the said Darogah and Mowlavies are hereby required to obey.

“ Thirdly. One Civil Court, or Dewanny Adaulut; which shall be composed of One President or Darogah, and Three inferior Judges, being Men of known Integrity and Understanding, who shall be chosen from among the Inhabitants of the said Town; for the Trial and Decision of all Debts, Pledges, Mortgages, disputed Accounts Transfers of Property, Rights of Neighbourhood, contested Boundaries, Rights of Marriage and Claims of Inheritance, and of all other Claims of Property, whether real or personal, according to the Principles of natural Justice, in all Cases not depending on the particular and prescribed Laws and Institutes of the Parties; and in all Cases which shall depend on the particular Laws and Institutes of the Parties, the said President and Judges shall first determine on the Facts, as ascertained by the Evidence before them, and shall adjudge the Right as established by those Facts, according to the respective Laws and Institutes of the Parties, whether they be Mussulmen or Hindoos; and for this Purpose they shall be assisted by Two Mussulmen versed in the Sherah or Mahomedan Law, and Two Pundits versed in the Pootee or Code of Justice instituted for the Professors of the Hindoo Religion, whose Opinions shall be consulted and taken in all Cases referable to them as aforesaid. And it is further ordained, That in all Cases wherein the Judges shall not agree in One Judgment, their Opinions shall be severally delivered and recorded, and the greater Number of Opinions on One

Point

Point shall be taken and considered as the complete Judgment of the Court thereon; and if the Number of Opinions shall be equal, that of the President shall be taken and deemed as equivalent to Two Opinions, and the Judgment of the Court shall be passed accordingly; and their Judgment shall be final in all Causes of which the original Amount or Matter in Suit shall not exceed One thousand Rupees: And in all Causes of which the original Amount or Matter in Suit shall exceed One thousand Rupees, it shall be allowable to appeal from the Judgment of the said Court, within the limited Time of One Month from the Date of the Judgment, to the Chief Magistrate, who shall have Power to revise the same, or, if he shall think fit, to try the Causes again, with such further Evidence as the Parties shall bring before him, sufficient Reasons, to his Satisfaction, being given for their not having been before produced; and either to confirm or reverse the former Judgment, or to pass a new Judgment on the Cause; and his Judgment shall be final and conclusive. And it is hereby required and commanded, That the Chief Magistrate, and the President and Judges of the said Court of Dewanny Adaulut, shall keep Records of their respective Proceedings, which Records shall be admitted as Evidence in all future Causes. And the President and Judges of the said Dewanny Adaulut shall receive their Appointments from the Chief Magistrate, who shall also have the Power of dismissing them and appointing others in their Room; and the Chief Magistrate shall have the Power to establish Rules of Process for the said Court, which Rules the President and Judges of the said Court are hereby required to obey.

“ And it is further required and commanded, That the Chief Magistrate do transmit to the Governor General and Council, Monthly, Copies of his Proceedings, and Reports of all Persons appointed or dismissed in the superior Offices; and of all new Regulations established by him as aforesaid; and of all Rules of Process instituted for the Two Courts of Fougedary and Dewanny Adaulut, and in general of all other Matters of Consequence, which shall relate either to the general State of the Town, or to the several Branches of his Department; and shall obey all such Orders as he shall receive from the Governor General and Council. Although the Authority of the Chief Magistrate is, for the Purposes of this Institution, restricted to the Limits of Banaris; yet, that the Ends of it may not be defeated by Offenders flying from his Jurisdiction beyond those Limits, it is hereby explained and declared, That if any Person shall be guilty of Offences within the Town of Banaris, and shall escape beyond the Limits of the said Town, the Chief Magistrate, or his Officers, shall have Power to apprehend, with a written Warrant, and bring them to Justice; and it is required and commanded, That the Zemeedars, Aumils, or other Officers of the District into which such Offenders shall be so pursued, do assist the Officers of the Chief Magistrate in apprehending the said Offenders; and that it shall also be lawful for the Officers of the Judges of the Two Courts of Justice, to require and compel the Attendance of Witnesses living beyond the said Districts, Reason being first shewn, to the Satisfaction of the Judges of the said Court, that the Evidence of the said Witnesses is necessary.

“ And it is hereby further ordained and proclaimed by the Governor General, That Ally Ibrahim Khan be appointed, and that he is accordingly from this Date appointed the First Chief Magistrate of the Town of Banaris.”

The Counsel for the Defendant informed the House, That it being stated in the Charge, that, ‘ after the Expulsion of the Rajah Cheit Sing, Mr. Hastings did, of his own usurped Authority, and without any Communication with, or any Approbation given by, the other Members of the Board, appoint the Rajah Mehipnairain to the Government of the Province of Benares;’ they should next proceed to shew, that the other Members of the Board did, in Fact, approve of this Appointment: For which Purpose they would refer to the Extract of a Consultation of the 3d December 1781, in Book 518, beginning at Page 691, of the same Book, already given in Evidence on this Day. (a)

To shew, That the Duties which the Defendant imposed upon Merchandise in the Province of Benares, were in Fact previously submitted to a Committee of Merchants, and met with their Approbation; and that what was found to bear hard upon some particular Articles, was altered.

The Managers for the Commons desired to know how it appeared, that a Reference was made to a Committee of Merchants upon this Subject.

The Counsel for the Defendant informed the House, That if it appeared upon the written Evidence, they would point it out; if not, they would examine Mr. Markham to it.

Read, the following Extract from Page 154, of the printed Minutes.

“ I have already advised you very fully of the Appointments which I have vested in the Person

(a) Vide supra, Page 1638-9.

of Ally Ibrahim Khan, respecting the Police and Administration of Justice in the Town of Banaris; the Insertion of the other Articles comprized in this Request arose from my having directed them to be abolished, because they appeared to me to be discreditable and impolitic.—The following is a List of the Particulars.

1. Nekausfs. Duties on the Sale of Horses; an oppressive Tax, and inconsiderable in its Amount. It was not my Intention to make this an express Prohibition; but having marked it, with other Articles which I thought improper, in the List of Revenues collected by the Aumeen of Banaris, it was considered as an express Prohibition, and I chose to let it stand with that Construction.
2. Taxes levied on Strangers. Consisting of the following Heads.
 - 1st. Dustoor Perdassy, or Duties levied on Pilgrims.
 - 2d. Dullaulee Perdassy, or Sums paid by the Brokers to buy and sell for the Pilgrims.
3. Talafhee. Duties taken on the Examination of Persons travelling from Banaris.
4. Khummaur Khanah. Revenue paid by the Keepers of Gaming Houses.
5. Dustoor upon Rings. A Revenue paid by the Sellers of the Rings usually bought by Pilgrims.

“ The 2d, 3d, and 5th Articles have been often represented to me as grievous Impositions, no less in their Amount, than in the Mode of levying them, and a great Discouragement to Strangers, whom the Spirit of Devotion might induce to come to Banaris. The Abolition, in itself a popular Act, and extending its Influence to every Part of India, is likely to pay the Loss arising from it, by the Inducement which it will afford to greater Numbers to resort to Banaris, in the Proportion of the Immunity which it represents to them.”

Read, a further Extract from Page 182, of the printed Minutes.

“ Letter to the Governor General and Council, dated the 22d of November 1781, respecting the new Regulations for the Collection of the Customs within the Zemcedary of Banaris.

“ To Edward Wheeler and John M'Pherson Esquires, Members of the Council of Fort William.

“ Gentlemen,

“ The Mode of collecting the Customs on Merchandize passing through this Province, being attended with much Abuse, and the Rates unequal, being proportioned to the Load, not to the Value of the Goods; I have issued Orders that the Customs shall be hereafter collected only at Three Stations; namely, Mirzapoor, Banaris, and Ghauzipoor, by appointed Officers instead of Farmers, and according to a new Table of Rates formed on the ordinary Prices of the Goods; the Duty to be levied thereon at the Rate of 5 per Cent. and in one single Payment.

“ Inclosed are Copies of my Orders to the Rajah, and to the Resident, and of the Table of Rates.

“ Chunargur,
the 22d of November 1781.

“ I have the Honour to be, &c. &c.
“ Warren Hastings.”

Read, a further Extract from the printed Minutes, beginning at Page 297, of the same.

“ Fort William, 8th April 1782.

Secret Dept.
Monday.

“ At a Council; Present,
The Honble. Warren Hastings, Esq. Governor General, President;
Edward Wheeler, and } Esquires.
John M'Pherson, }
Lieutenant General Sir Eyre Coote, K. B. absent on Service at Fort St. George.

“ Read, the following Letters from the Resident at Benares.

“ Honourable Sir and Sirs,

Resident at
Benares, 20th
and 29th
March.

“ I do myself the Honour of transmitting you, according to the Orders of the Honourable Governor General when at Benares, Account Particulars of the Customs as designed to be levied, and of the Duty as levied by Rajah Cheit Sing.

“ You will perceive that, to preserve Uniformity and to point out whatever Difference there may be between the present Duty and that proposed to be levied in a more striking Manner, I have rated the Three last Columns on a Tungay, or Six Maunds, the Load which a Bullock is supposed to carry; as the former Method of collecting the Duty was on the Weight, not on the Value of the Goods.

“ I shall trust to the Candour of your Honourable Board for my Excuse in pointing out some Articles on which a Duty of 5 per Cent. will be too heavy, and by which the Collection would be required, viz. Mace, Cloves, Nutmegs, Cinnamon, and Silk.

“ The

" The People who principally trade in these Articles are the Maratta Merchants, and a religious Sect called Ahteets, who generally land their Goods at Mirzapore, and from thence carry them by Land and Bullocks into the Decan, or to Delhy; and they will find it more profitable to unload their Boats at Patna, and carry their Goods through Ramgur, than to pay so heavy a Custom as 5 per Cent. will amount to in the Road from Patna to Mirzapore.


" I know for certain, that on the Rumour being spread, in December last, that 5 per Cent. was to be levied on every Article, by the Directions of the Honourable the Governor General, that the principal Houses in the Decan immediately ordered their Gomastahs to stop all their Boats at Patna, and to send their Goods by the Rout above mentioned, if the Duty of 5 per Cent. was continued.

" I beg leave to lay before your Honourable Board another Proposition; Whether it will not be judicious to reduce the 5 per Cent. to 2½ on our own staple Commodities, viz. Broad Cloth, Europe Iron, Steel, and Copper.

" Benares, the 20th March 1782.

" I have the Honour to be, &c.
(Sighed) W^m Markham."

" P. S. I have not been able to bring some certain Articles within the accompanying Statement, on Account of their indefinite Value and Weight. You will observe that Cloths more particularly are in the above Predicament.

(Signed) " W. Markham." 

" Resolved, That the Duties of 2½ per Cent. collected by the Aumeen be abolished.

" Agreed that the following Letter be written to Mr. Markham.

" Sir,

" We have received your Letter of the 20th ultimo, with the Account of Duties designed to be levied by the Governor General's late new Arrangement, and of those exacted by the late Raja. To the Resident at Benares.

" As we agree with you in Opinion, that the Duty of 5 per Cent. being a great Increase upon the former Rates on some Articles would be too heavy, we direct that it be reduced to 2½ per Cent. upon the following Goods, viz.

Saffron,
Cinnamon,
Mace,
Cloves,
Nutmegs,
Cochineal,
Raw Silk,
Broad Cloth,
Europe Iron,
Steel,
Copper.

" Fort William, the 8th April 1782.

" We are, &c."

To prove, That the Pensions granted by Mr. Hastings were for public Services performed,

Read, the following Extract from the printed Minutes, beginning at Page 122 of the same.

" I avail myself of this Repose in my Narrative to relate another Instance of private Merit in Beneram Pundit, the Vakeel or Minister of the Rajah of Berar, and his Brother Bissumber Pundit. These Persons had come to pay their customary Attendance at my Quarters, about the Time that the Line was already on the March. They immediately joined it. Some Time after I saw and spoke to them, expressing some Concern to find them in that Situation. They were on Foot, without a single Servant or Attendant. I suffered them to accompany me till we came to the Plain and halted. I then thanked them for the Proof which they had shewn of their Attachment, with which I was satisfied, and desired them to return, as they had a large Family in Banaris, which would be exposed by their Continuance with me to the Relentment of Chait Sing, and perhaps to the worst Effects of it, nor could by their Presence afford me any Service, which could repay what I myself should feel of Compunction for suffering them to be exposed to such Hazards. They refused me in a peremptory Manner, without Compliment, or the Ostentation of performing meritorious Service; and persisted, although I as peremptorily insisted on their Return. I then desired that the elder Brother, who was corpulent, and of a Constitution less equal to Fatigue, would return, and the younger only remain; but could not prevail. A few Days after my Arrival at Chunar, I casually mentioned to them my Distress for Provisions, which was occasioned principally by the Want of Money; for such was our total Loss of Credit, that we could not raise a Sufficiency even for the ordinary Wants of our small Detachment; and it was with great Difficulty, and a Degree of Violence, that Lieutenant Colonel Blair extorted from

from the Shroffs of Chunar, who had lived and grown opulent under the Protection of the Garrison, the small Sum of 2,500 Rupees, which was distributed among all the Sepoys, and afforded a satisfactory Relief. Beneram Pundit immediately, and with an Eagerness which belonged to his Character, told me that he had a Lack of Rupees in ready Money, lying in his House at Banaris, which I might take, if I could find any Means to receive and convey it to Chunar; and the younger Brother advised, as the simplest Expedient, to send a Battalion of Sepoys for that Purpose, which could easily go and return without Interruption, as there were no Troops stationed near the Town on that Side of the River, offering to accompany it himself, and to bring away the Money. I rejected this Proposal for an obvious Reason, and preferred the Trial of the Means which the Shroffs are supposed to practise for the Conveyance of Money on such Occasions. I accepted a Draft on their Family for the Sum, payable to Contoo Bauboo, my Dewan, who had been left in Banaris, and sent it inclosed in a Letter to him, with Directions to concert with Gopaul Dais the Means of conveying it to Chunar. This proved ineffectual. Contoo Bauboo could not be found. Gopaul Dais was seized, I forget at what exact Period of Time, and sent a Prisoner to Luttespore, and in a short Time after, Contoo Bauboo was also taken, and conveyed to the same Place of Confinement; I was obliged therefore to wait for a more favourable Opportunity, which never happened while I remained at Chunar. After my Return to Banaris, Beneram again repeated the Offer; I accepted it, and received the whole Amount on the Instant, giving him a Note in the Company's Name, and in the usual Form, for the same.

"Examples of Fidelity and national Attachment merit the first Reward of being recorded. In me it is a Duty both of public and private Obligation to relate what I have related. Their Merit is national; for, under whatever Impressions their Assistance was offered, its Object was the national Service; nor can my Person in such an Instance be separated from my public Character."

Read, a further Extract from the printed Minutes, Page 152.

✍ ["Although I am convinced that with proper Management the Zemeedary might yield an Amount considerably exceeding that which I have taken as the Estimate of its Value; yet I must express my Apprehension, that unless the Naib can find Means to avail himself of better official Assistance than he at present possesses, his real Profits will fall below their allowed Amount; and on that Account I have encouraged him to hope, that if he shall prove himself diligent in his Office, and punctual in the Discharge of his Kists to the Company, he may hereafter obtain, from the Indulgence of the Board, some Remission from the stipulated Jummah, whenever the actual Demands of the Company shall be lessened, and the State of their Treasury will admit of it; and this I shall recommend as an Act of Generosity becoming their former Relation to this Province, and equally warranted by the Principles of good Policy: For there are certain Lines, beyond which the Exaction of a Public Revenue will not only defeat its own Purpose, but operate as effectually to a Reduction as an intentional Act of Bounty could do. But it is not my Wish to engage the present Attention of the Board in a Discussion upon this Subject; my Desire being only to premise what I may hereafter find necessary to introduce to their further Consideration, so that any future Proposition may not appear to arise wholly from the instant Occasion of it.

"I now proceed to the Explanation of the Particulars of the Settlement, as contained in the Account N^o 3. H. The first Deduction made from the gross estimated Jummah of Rupees 53,06,002.12. is the Sum of Rupees 61,196, granted in Jagheers and other Aliénations. The first is a Jagheer granted to Beneram Pundit, of the yearly Amount of Rupees 25,000. I have already acquainted the Board with the faithful Services of this Man and his Family, during the late Troubles, which I can take upon me to assure the Board, whatever was our Opinion of them at the Time, and however repugnant it may be to our national Character to regard any Situation of Affairs with the Eye of Despondency, were considered universally by all but ourselves, equally by Friend and by Foe, as utterly desperate. To the Merits of Beneram Pundit and his Brother on this Occasion, I must add a long Series of Attachment and effectual Service, from the Year 1773 to the present Time. Though the immediate Servants and confidential Ministers of a foreign State, to the constitutional Members of which they have always professed an almost enthusiastic Devotion, they have zealously adopted all my Views for the Promotion of a Connection between their Government and ours. For this Purpose, Beneram Pundit, at my Requisition, made One Journey to Naugpore, and attended Colonel Leslie and Colonel Goddard in the first Operations of their Detachment. Another of the Brothers still attends General Goddard in the same Capacity, and has been of great Use, by his Letters, in refuting the false Representations which were made from Poona to the Government of Berar of the Events of the War. Beneram Pundit proceeded to Naugpore, and, chiefly at my Requisition, returned with a Constitution much impaired by the customary Effects of the malignant Climate of the Route lying between Calcutta and Naugpore. To his Influence I entirely ascribe the generous Conduct of that Government to ours in many signal Instances, which stand recorded on our Consultations, and will be universally acknowledged as such, when Time shall have effaced the Prejudices with which they have been, and perhaps still are, represented by some; and to him I owe the Influence which I myself possessed with the late Dewan Demaugur Pundit, and its Effects while he was living. In the same Spirit of common Attachment, Bismar-

ber Pundit, the younger Brother, went, instructed by me, to Chimnaje Bauboo, the Commander of the Army employed last Year in the Province of Orissa, and assisted Mr. Anderson in his Negotiations. In all these Instances I have considered and treated them equally as the Friends of our Government, and the faithful Servants of their own; and wherever I have been, one or both have been my constant Attendants.

" If these Services shall be admitted as meritorious, although they should be ascribed to Motives of personal Respect to myself, still let it be considered, that it was in my Character of the first and executive Member of our State that I received such Instances of it, or could have the Means of inspiring it; and that I doubt whether a national Attachment, in an alien Breast, can either grow or subsist on any other Principle.

" For all these united Reasons I have thought it incumbent upon me to recompence the Merits of this Family, by the seasonable Grant of a public Income derived from the Settlement of the Province in which they resided, and in the Recovery of which to our Authority they have made to themselves so near an Interest.

" The Board have been pleased to repose so generous a Confidence in me, that I persuade myself that I shall not need their Excuse for having determined this Act by my own Authority. It was necessary to include it in the Settlement, as it would have been the Source of much Embarrassment, and given rise to unreasonable Claims, had it been ordered after the Settlement had been concluded. I might indeed have applied to the Board, and received their Answer in sufficient Time for the Conclusion of the Settlement, had I known that the latter would have been so long delayed; but it had been from the Beginning my Intention to form it immediately on my Return to Benaris, and I was only prevented from finishing it sooner by the Delays and Procrastinations of others, which I could not conquer.

" Upon this Subject I have only to add, that the Bounty of our Government has been rarely exercised on such Occasions; that no Occasion ever did more justly demand the Exertion of that Principle; and that it is one of the Duties of Government, as it is one of its best Instruments, to exercise it for the Reward of past, and for the Encouragement of future Deserts."

To prove the Misconduct of Durbedgèy Sing, and the Consequences that would have followed if he had been continued in his Office,

Read, from Book 557, already delivered in, the following Letter from the Resident at Benares, to the Governor General, dated the 4th August 1782, beginning at Page 36 of the same Book.

" Benares, 4th August 1782.

" The Honourable Warren Hastings, Esquire, Governor General, &c. &c. &c.

" Fort William.

" Sir,

" According to your Directions, signified to me in your Letter bearing Date the 15th July, I immediately wrote to Durbutzy Sing, informing him, that I had received Two Perwannahs from you, which must be delivered into his own Hands. He came to me on the 25th ultimo. Having given him your Letters, I made him acquainted with the entire Substance of your Orders to me, the Displeasure which you expressed at his Misconduct, and the Oppressions which his Aumils had committed; and fully informed him what Powers you had entrusted to me, in the Event of his disobeying those Orders, or trifling in the Execution of them.

" He professed entire Obedience; assured me that, of his own Accord, he has already confined Zulam Sing; that the other Delinquents should be immediately recalled; and that he would appoint Three Persons who should inquire into their Conduct.

" I am now sorry to inform you, that no Part of his Promises have been fulfilled; by the Date of this Letter, you will observe that Ten Days have elapsed since I delivered him your Perwannah. On the 30th July I wrote to him, reminding him, that the Time was nearly past away to which your Letter had limited him for Compliance to your Instructions, and desired him to come to me, that I might converse with him on the Subject. He was ill. On the 2d August, I again required his Presence. He answered me, that Illness prevented him; but that he had sent his Brother.— When I enquired of Omrow Sing, what Persons the Naib had made Choice of as fit to enquire into the Misconduct of the Aumils, or to what Aumils he intended to entrust the Pergunnahs, from which the former were to be recalled, he assured me of his entire Ignorance of the Business, and that it was the first Time he had been informed that his Brother the Naib had received such Commands from you. As I am entirely convinced that Durbutzy Sing's Intention was only to trifle with me, I have appointed Four People of Reputation to enquire into the Truth of the Representations made by the Zemindar, and Ryotts of Zemmineah and Chounfah against Baboo Zallum Sing, &c. I shall disobey your Orders by not having appointed a Fifth, but I really am not acquainted with any other Person * Person in Benares, to whose Integrity and Capacity I choose to entrust any Enquiry of this Nature.—The following are the People whom I have selected for this Investigation: Abdoo Rashud Khan, Aga Fuckroo-dien, Lalla Scheo Sing, and Lalla Benni Persaud. * Sic in Orig.

" I am sorry that I must relate a Circumstance to you, that will not more strike you with Horror, than with the Imbecility and Irresolution of the Naib's Administration.—Sunker Rutten, One of the Delinquents pointed at in your Letter, being much in Balance to the Rajah Burbitzy Sing, instead of seizing his Person immediately, as your Letter directed, commissioned Boulah Dutt, a Person of some Family, to go to him to promise him Protection and Friendship, and to persuade him by gentle Means to come to Benares.—Sunkeer Rutten, though totally unacquainted that you had given any Orders respecting him, considered Confinement as inevitable, should he be obliged to account for the Kists which he was in Balance, or for his Conduct as an Aumil; he came to the immediate Resolution of massacring Boulah Dutt, together with his Retinue, and escaping with what Money was in his Hands. He accomplished the Business on the Spot, loaded his Horses with about 20,000 Rupees, and absconded, no Person being acquainted what Road he has taken.

" I have written to Allahabad, to the Resident at Lucknow, and to Uzeem Ghur, endeavouring to apprehend him, and am making every Search through this Zemindarry, that I may, if possible, bring the Murderer to condign Punishment; though I am apprehensive the Confines of the Nabob's Territories are situated but too opportunely for his Escape.

" I wish to avoid, if possible, every Appearance of Interference in the Mofussil, and shall therefore endeavour to oblige Durbutzy Sing to appoint his own Aumils to the Pergunnahs which will be vacant; he had before your Letter arrived, consigned Zumminuah, Chowfah, &c. to Tockri Buckt Sing.

" I have the Honour, &c."

Read, the following Extract, from Page 300 of the printed Minutes.

" To the Honourable Warren Hastings, Esq. &c. &c. &c.

" Benares, 24th October 1782.

To the Honourable
Warren Hastings Esquire,
from Mr.
Markham.

" Honourable Sir, and Sirs,

" I have delayed sending to you the Accounts Treasury for the Month of September, as I have yet only received from Rajah Myip Narain the Sum of 1,55,000 Rupees in Part Payment of the Kist of Bahdown due the 21st ultimo.

" The Month of Assin is now elapsed, and I see no Probability of his speedily completing the Balance due on Account of the Malguzzary of the last Year. I have in the strongest Terms represented to the Naib Durbeetzy Sing the Impropriety of his Conduct, and the Ruin which must attend him; if thus acting contrary to my Advice, he will fully abuse the Trust reposed in him by your Honourable Board. He cannot plead Inability, for I am confident that he has ready Cash now by him more than sufficient to answer every Demand.

" I am sorry that my Duty obliges me to mention to your Honourable Board my Apprehensions of a severe Loss accruing to the Honourable Company, if Baboo Durbeetzy Sing is continued in the Naibut during the present Year. I ground my Fears on the Knowledge I have had of his Mismanagement; the bad Choice he has made of his Aumils; the Mistrust which they have of him, and the several Complaints which have been preferred to me by the Ryotts of almost every Pergunnah in the Zemindarry. I did not choose to waste the Time of your Honourable Board in listening to my Representations of his Inattention to the Complaints of Oppression, which were made to him by his Ryotts, as I hoped that a Letter he received from the Honourable Governor General would have had Weight sufficient to have made him more regular in his Business, and more careful of his Son's Interest. I am sorry to observe, that it was but a temporary Remedy to the Evil.

" During a Course of Two Months Illness, he was incapable of transacting any Business whatsoever. In the most pressing Letters, I repeatedly enjoined him to appoint either One of his Brothers, or some confidential Servant, for the settling the Accounts of his Aumils, and for receiving the Kists due from them. I imagine he will find himself a very considerable Loser by neglecting this Advice.

" An innate Sloth in his Disposition, and a studied Procrastination in every Business where Application and Dispatch are necessary, mark him as unfit for the present Station, to which he has been elevated by his Alliance with the old Family of Bulwant Sing, and the Regard which the Honourable the Governor General paid to the obvious Idea of the Father's being the most proper Person for the Management of the Son's Affairs.

" I intended to have represented these Circumstances to your Honourable Board some Weeks ago, but was prevented by a severe Intermittent Fever, which confined me to my Bed.

" I acquainted Mr. Day, the Paymaster to Sir John Cumming's Detachment, that I had your Directions for advancing Three Months Pay; but he required only Two Lacks of Rupees, for which I have taken his Drafts on the Military Paymaster General.

" I have the Honour to be, &c. &c. &c.

W^m Markham, Resident."

The

The Counsel for the Defendant stated, That it being charged in the Article, that Durbedgy Sing was, by the private Orders of Mr. Hastings, violently thrown into Prison, and confined therein under Pretence of Nonpayment of the Arrears of his Tribute: They should next proceed to shew that he was in Arrear; and, that it was done under an Order and by the Approbation of the Board.

Read, from Book 19, already delivered in, the following Extract of a Consultation of the 4th December 1782, beginning at Page 733 of the same Book.

“ Fort William, 4th December 1782.

“ At a Consultation; Present,

Edward Wheler,
John M^cPherson, and } Esquires:
John Stables,

Secret Dept.
Thursday.

The Governor General and Sir Eyre Coote indisposed.

“ Mr. Wheler,

“ I approve of the Measures recommended by the Governor General's Minute respecting Baboo Doorkbijey Sing, and of the Mode of carrying them into Execution, through the Resident of Benaris, which is his official Duty; and also of the Appointment of Jaggeer Deo Sing to fill the Office of which Doorkbijey has been dispossessed; and of the Appointments recommended in the Governor General's Letter of the 29th September. The severe Indisposition with which the Governor General was afflicted when these Letters were received, and his Absence from the Presidency, are Subjects well known to every Member of the Board.

(Signed) “ E. W.
M^cP.
J. S.”

“ To Mr. Markham.

“ Sir,

“ We have now before us, your Letters of the 24th October, 12th and 14th November; the Governor General has likewise communicated to us a Copy of the Letter which he wrote to you on 29th September from Nia Serai. Mr. Markham.

“ The Measures which you have taken with Babao Doorkbijey Sing are perfectly right and proper so far as they go, and we now direct that you exact from him with the utmost Rigour, every Rupee of the Collections which it shall appear that he has made, and not brought to Account; and either confine him at Benares, or send him a Prisoner to Chunar, and keep him in Confinement until he shall have discharged the Whole of the Amount due from him.

We likewise direct, that for the Offence which he has been guilty of, you divest him of the Jaghur which was assigned him, and re-unite the Property of it to the Malguzarry or the Land, paying its Revenue through the Rajah to the Company.

“ We approve and confirm your Appointment of Babao Jagger Deo Sing, to the Office of Naib of the Zemindarry in the Room of Doorkbejy Sing; and desire that you will invest him immediately with the usual Khelaat in due Form.

“ We also direct you to carry into Execution the other Points of the Governor General's Letter to you of the 29th September, which remain to be accomplished. (a)

“ Fort William, “ We are, &c. &c. &c.”
4th December 1782.

(Signed at the End of the Consultation)

“ Edward Wheler,
John Macpherson,
John Stables.”

The Counsel for the Defendant informed the House, That they tendered the above Extract also to shew, that the Board approved of the Appointment of Jagger Deo Sing, to succeed Doorkbijy Sing.

To shew the Conduct of Jagger Deo Sing, and the Grounds upon which he was removed,

Read, from Book 74, already delivered in, the following Extract of an Appendix to a Consultation of the 24th August 1785, beginning at Page 787 of the same Book.

“ Petition of the Rozemedars of Benares, Chunar, Juanpore, and Ghazipore.

“ Bauboo Juggerdeo Sing has distressed us for Two Years. In the last Year having taken by Force the Sum of Three thousand Three hundred and Thirty Rupees from the House of Calherry Mull, and given us a Tunkaw for Thirteen Thousand; so that he possessed himself of

16,330 Rupees this Year; hearing of your Approach, he has given us Three Tunkaws, which there is no Hope of our realizing, so that when you depart, he will as before, possess himself of the same Sum, and we shall every Year be oppressed. We hope from your Benevolence that a Suzzawul may be stationed with the above named Baboo that we may receive our Rights, and from the present Time, agreeable to ancient Usage, that he give Perwannahs to each Person for his Money on the Puggunnah Bohelu. May God keep the Sun of your Age and Prosperity resplendent." (a)

Read, a further Extract from the same Appendix, beginning at Page 791 of the same Book.

" Petition of the Ryots of Kizziaut and Mujoah Taalooks.

" We complained of the Oppressions of the Aumils at the Presence in and you ordered that we should relate our Situations to Jaggerdio Sing, who would afford us Redress accordingly. While you staid he soothed us, and gave us Purwannahs as before usual; but on your Departure the Aumil put over us strict Muhuffels, and in the same Manner as last Year, forcing from us the Bhair and Bhaite to the Mouth of Paughun, seized all our Crops, demanding Half the Produce, according to the Dunabundy. We went and related this to Jaggerdio Sing, but he paid no Attention to our Complaints, and ordered Sepoys and Chubadars to push us out of the Cutcherry, saying, we might go when we chose; we are come to the Presence for Orders.

" The Aumil represents, for the last Three Years the Complainants have only paid Half the Jumma to the Sickar; in answer to which they reply, that they made good all Demands upon them, and are not acquainted with the Jumma of the whole District.

" The Aumil represents, that many of the Ryots of his Taalooks gave Caboaliots to pay their Rents in Kind agreeable to a Dunabundee settled by an Amun. The Complainants deny their being consulted on the Occasion, and say they are ready to pay all Demands according to their Patnahs.

" The Aumil says, Orders were given by the Resident, that the Complainants should conform to the Dunabundee. They reply, that on going to complain at Benares, Mr. Benn promised them Redress, but that Mr. Fouke did not hear them, and at the Request of Aga Hossim gave him a Guard, who confined Nineteen of the Brethren, and forced them back to their Villages. The others came to the Governor's Presence for Redress.

" Pottah of Agreement given by Penanaut Misser and Seou Balik Dorbee, Aumils of Buggruthorpe Puggunnah of Kirriaud Sircar Chunar.

" With firm Agreement it is written to Ram Taal Chobe. He will cultivate his Lands with Satisfaction; according to the Pottah, an established Jumma of Forty-five Rupees Sicca Benares shall be demanded from him. He will to the End of Chite by stated Payments pay the said Sum to the Treasury of the Sirca, and make no Evasions.

" N. B. Ram Taal produces the Receipt of the Kurhun for Forty-seven Rupees paid by him, and complains that the Aumil notwithstanding demands Half his Grain."

Read, a further Extract from the same Appendix, beginning at Page 795 of the same Book.

" To Francis Fowke Esquire, Resident at Benares.

" Sir,

" Enclosed is a Complaint of Rajah Govinjut against Jaggerdio Sing, which I desire you will inquire into; and should it be found just, request you will be pleased to order the latter to de-st immediately from such Oppression, and restore the Rajah what Money may have been collected from the Sayer of the Place specified. (b)

" Lucknow,
13th May 1784.

" I am, &c.
(Signed) " Warren Hastings."

Read, a further Extract from the same Appendix, beginning at Page 780 of the same Book.

" To Francis Fowke Esquire.

" Sir,

" I refer to you the enclosed Translation of a Petition, which I have received from Amrow Sing and Buhhut Sing, late Aumils of Semania, &c. and request that you will inquire, and report to me, the true State of their Case. Long before I left Calcutta, I was informed of their Grievances; which, whether true or falsely stated, were ascribed to a Resentment for some ancient Difference subsisting between the Manager and the Petitioners. At any Rate, it is contrary to Justice that the Manager should be the Judge in a Cause in which he is an interested Party; and, I recommend it to you, to take the Complaints out of his Hands, and refer his Claims upon

(a) Vide Appendix, N° CCLVII.

(b) Vide Appendix, *ibid.*

- them to the Arbitration of creditable Merchants, or Shroffs of Benares. I shall desire to receive a Copy of their Award.

“ Benares, 16th March 1784.

“ I am, Sir, &c. &c.
(Signed) “ W. Hastings.”

• • • “ Petition of Amraw Sing Takhru Bukht Sing.

“ Mr. Markham and Baboo Jaggerdio Sing took from me an Agreement for the Charge of Nine Puggannahs, at the Jumna of Seven Lacks, Eighty-four Thousand Six Hundred and Twenty-six Rupees, and gave me a Lease for Three Years. While Mr. Markham was here, the Baboo gave me no Trouble; but on his Departure, affected Displeasure towards me, without a Cause, sending Perwannahs to protect Zemindars, and put a Suzzawul over me, from which Disorders arose in my Districts. Notwithstanding this, I have, by Help of Bankers, paid the Kists of the Sirkar. The Baboo, by putting to Account the allowed Deductions, brought a Balance against me; and though I repeatedly set forth the Injustice of the Demand, he would not listen, but shewed greater Displeasure, and confined me and my Brothers, sending also a Guard to my House to oppress me now. He dispatched Perwannahs to the Zemindars not to pay me a Daam, for the Country would not remain with me; at the same Time saying, that if I would give him a Banker's Teep for Seventy Thousand Rupees, he would replace me. Fearful for my Life, I gave the Teep; but the Baboo returned it; took the Mahals from my Management.

“ I am ready to pay the Demands of the Sirkar, and manage the Collections; but if I am not judged fit for this, I hope that the Puggannah of Buddhole, my Zemindary, may be committed to me, that I may reside in it with my Family, and pray for the Welfare of the Sirkar. Near a Lack and Seventy-five Thousand Rupees are owing me in my Districts, besides an Advance of near Five Hundred Ploughs. Let them be taken by the Sirkar, and I be released with my Life. I have no other Refuge but your Benevolence and Clemency, and am every Way ready to obey.” (a)

Read, a further Extract from the same Appendix, beginning at Page 788 of the same Book.

“ To Francis Fowke, Esquire,

“ Sir,

Resident at Benares.

“ I am directed by the Honourable the Governor General to acquaint you, that he has read with Attention the Petition from the Aumil at Ghazipore, and to desire that an Enquiry may be made on the Spot into the Truth of it; for which Purpose, as Mr. Benn is your Assistant, the Governor General is of Opinion, that he is a proper Person to be employed on this Service.

“ You will please therefore to give the necessary Instructions to Mr. Benn, and when you have received his Report, transmit it to the Governor General for his Information.

“ Jugdees Serai,
18th March 1784.

“ I am, &c.
(Signed) “ St^a Sullivan, Secry.”

“ P. S. As it is probable that the Officer commanding at Ghazipore may have a counter Representation to make, you will receive herewith a Letter from Captain Bradley to Major Eaton; which you will commit to the Care of Mr. Benn.” (b)

Read, a further Extract from the same Appendix, beginning at Page 790 of the same Book.

“ To Mr. Francis Fowke.

“ Sir,

Resident at Benares.

“ I enclose a Copy of an Arzee which I have received from some Merchants of Mirzapore, the Grievances complained of being in Contradiction to the Regulations established by me in 1781, I desire that you will send for the Naib, and enjoin him to take immediate Measures for giving the Petitioners Redress; and in these, or in any any other Instances, if you should find your Injunctions insufficient to protect the Merchants against improper Demands, or vexatious Delays, I desire that you will send a Representation of the Circumstances to me. (c)

“ Banpypore,
22d March 1784.

“ I am, &c.
(Signed) “ Warren Hastings.”

- Read, from Book 586, already delivered in, the following Extract of a Consultation of the 15th of March 1786.

(a) Vide supra Appendix, N^o CCLVII.

(b) Vide Appendix, ibid.

(c) Vide Appendix, ibid.

" Fort William, 15th March, 1786.

Secret Dept.
Wednesday.

" At a Council ; Present,
The Honourable John Macpherfon Esquire, Governor General, President ;
Lieutenant General Robert Sloper, Commander in Chief ;
John Stables, Esquire,
and
The Honourable Charles Stuart.

" Mr. Secretary Hay.

" Sir,

Mr. Fowke
the Secretary,
19th Nov.
1785.

" I received your Letter of the 25th of November, enclosing the Substance of a Petition from Babboo Jaggudeo Sing, late Naib of Benares, to the Commander in Chief, stating certain Grievances and Acts of Oppression which he complains of as unjustly exercised towards him, by the present Managers of this Zemindary.

" In respect to the First Paragraph, where he asserts his Innocence, I can make no other Reply than this, That his Conduct was examined into by the late Governor General, and the Result was, Dismissal from his Office. Others might be also criminal, but he was the principal Manager ; all the other Officers were appointed by him, and could not be guilty without his Connivance.

" The Case of the Duffuck is as follows :

" When he was Naib, he took Two of the Rajah's Purgunnahs in farm, but under borrowed Names.

" The nominal Farmers were low People, who acted as his Servants. The Farkhutti, or general Release, which he mentions, was nothing more than an Acknowledgement that his Treasury Account was just ; that he had accounted for all Sums paid into the Rajah's Treasury. But a Balance still remained to be paid from the Farms he held under these Names, which Balance the present Naib has demanded of him, and which he refuses to pay. (a)

" I am, &c.

(Signed)

" Benares,
19th November 1785.

(Signed at the End of the Consultation)

" Fowke Ref^t.

" John Macpherfon.
Cha' Stuart."

Read, from Book 579, already delivered in, the following Extract of a Consultation of the 22d May 1786, beginning at Page 582 of the same Book.

" Fort William, the 22d May 1786.

Secret Dept.
Monday.

" At a Council ; Present,
The Honble. John Macpherfon Esquire, Governor General, President ;
Lieutenant General Robert Sloper, Commander in Chief ;
John Stables Esquire,
and
The Honble. Charles Stuart.

" Par. 4. In regard to the Arzee of Baboo Jugger Do-Sing, that Justice which he claimed was rendered upon my Arrival, by the Removal of the Peons until such Time as personal Investigation might justify the Act under me, and from the Proceedings of my Enquiry of Yesterday, I have Reason to think that he will be found answerable for the Balance stated against him for the Two Purgunnahs which he under-farmed in the Names of Two low Persons without Surety, whilst he himself was the asentiable * Naib, and which, as promptedly † stated by my Predecessors to the Honble. Board, under Date the 19th November 1785, rests the Responsibility and Deficiency upon him, and consequently ‡ will not only be released from, || to enable me to act from my own Conviction. (b)

* Sic in Orig.
† Sic in Orig.
‡ Sic in Orig.
|| Sic in Orig.

(Signed at the End of the Letter)

(Signed at the End of the Consultation)

" Ja' Grant, Ref^t.

" John Macpherfon,
R^t. Sloper,
T. Stables,
Cha' Stuart."

The Counsel for the Defendant stated, That the Managers for the Commons having given in Evidence a Letter of the 2d April 1784 (c), written by the Defendant

(a) Vide Appendix, N^o CCLVIII. (b) Vide Appendix, N^o CCLIX. (c) Vide supra, Page 306.

ant upon the Removal of Jagger Deo Sing, which was ordered by the Board to lie for Consideration, they should proceed to give in Evidence the Consultation upon it, and what was done in consequence.

Read, from Book 47, already delivered in, the following Extract of a Consultation of the 20th May 1784, beginning at Page 511 of the same Book.

“ Fort William, the 20th May 1784:

At a Council, Present,
The Honble. Edward Wheler,
John Macpherson,
and } Esquires.
John Stables,

Secret Dept.
Thursday.

The Governor General absent on a Visit to the Nabob Vizir.

“ Resolved by the Majority of the Board, That the following Letter be written to the Honble. the Governor General.

“ Honourable Sir,

“ We have been honoured with your Letter of the 2d of last Month in Respect to the Zemindary of Benares, and have taken it into our most serious Consideration: We have already had the Honour to advise you that this was protracted until there should be a full Meeting of the Board, and we hope that no ill Consequence can have arisen from the Delay.

To the Governor General.

“ We shall be happy to be made acquainted with your intended Plan for the Reformation of the Country, and make no Doubt that you will keep in View the particular Circumstances in which this Government is situated with Respect to Benares. We wish as much as possible to avoid frequent Changes in the Administration of the Collections, from the Consequences which such Changes must inevitably produce. We shall readily adopt any Checks which you may think likely to be effectual for securing the Happiness of the People, and equal Collection and regular Payment of the Revenue, without encroaching upon the Rights which have been established to the Rajah by the Agreement which you made with him in 1781.

“ We are much concerned at those Appearances of Oppression which you observed in your Progress through the Zemindary, and wish it may be in the Power of this Government to apply a sufficient and permanent Remedy. (a)

“ Fort William,
Secret Department, 20th May 1784.

“ We have the Honour, &c.
(No Signature)

(Signed at the End of the Consultation)

“ John Macpherson,
John Stables.”

Read, from the same Book, the following Extract of a Consultation of the 8th June 1784, beginning at Page 631 of the same:

“ Fort William, the 8th June, 1784.

“ At a Council; Present,
The Honourable Edward Wheler, Esquire,
John Macpherson,
and } Esquires.
John Stables,

The Governor General absent on a Visit to the Nabob Vizier.

“ Read, the following Letter from the Honourable the Governor General.

“ Gentlemen,

“ In a very long Letter dated 2d April, I represented to you the distressed State of the Province of Benares, and the Misconduct of the Naib, and the Necessity of applying some early Measures to prevent what I apprehended would be the Consequence of his Continuance, and the Want of a due System of Controul. I have not yet been favoured with your Answer, and suspect that my Disappointment in this Instance may have arisen from your Disapproval of the Offer which I made of my Services for the Establishment of a System for the Administration of that Province, and perhaps an Unwillingness to give my Proposals a direct and unpleasant Refusal.

Governor General, 23d May.

To me personally, provided an adequate System is established, it is of little Consequence through whom it is effected; but to our Employers, and to the Inhabitants of an extensive Territory under our Government, it is of great Consequence that some better System should be established, and in the Credit of this our Administration in general is deeply concerned. Independent

of the Motives which we must possess in common, for my own Part I have had the sensible Mortification of being an Eye Witness of Evils which I could not redress, and I have seen the Hopes of a suffering People raised by the Approach of the superior Member of your Administration, whilst I felt, that instead of being able to afford them Relief, I could only send them away with Disappointment.

" It is my Duty to represent to you again, that some Changes ought to be made and speedily; that the present Naib must be removed, and a System of some Controul placed over whomever it may be determined to substitute in his Stead, or some entire new Mode of Superintendence established; or that the Loss of the Revenue, and Disaffection of the People will be the infallible Consequence of the present Administration being suffered to remain.

" If you shall think it improper, for whatever Reason, to confide this temporary Charge to me, I must still recommend and entreat that you will take the Subject into your Consideration, and to apply such Measures as your Judgment may suggest, for the Security of the Dominion and Revenue of the Province. I am sorry that the Temper and Current of the Times compel me to obviate a Conclusion, which may be made one Ground of Objection, by declaring, that I have not the most distant Idea of removing Mr. Fowke, of diminishing his Influence, or of rendering his Situation less eligible, by any Plan which I may have in Contemplation. If I have furnished an Argument against my own Proposal, by not describing the minute Detail of it, I must beg Leave to observe, that much of this must be formed on the instant of Execution, and will depend on the Circumstances arising out of it, and that until I have some Encouragement to expect that the General Plan, so far as I have determined it in my own Breast, will be adopted, I do not know that I have a Right to commit deserving Men, who may be either named, or too plainly indicated by it, to the Effects of private Vengeance, from those whose Interests would be affected by the projected Change, in case it should not take Place. (a)

" Lucknow,
23d May 1784.

" I have the Honour, &c.
(Signed) " Warren Hastings.

(Signed at the End of the Consultation)

" John Macpherson,
John Stables."

Read, from the same Book, the following Extract of a Consultation of the 30th June 1784, beginning at Page 1029 of the same:

" Fort William, the 30th June 1784.

Secret Dept.
Wednesday.

" At a Council; Present,
The Honble. Edward Wheeler, Esquire,
John Macpherson,
and
John Stables, } Esquires.

The Governor General absent on a Visit to the Nabob Vizier.

" Mr. Wheeler begs Leave to put the following Question to the Members of the Board:

" Shall the Plan submitted to us by the Governor General, for the Collection of the Revenues of the Zemindary of Benares, receive the Sanction of this Government?

Mr. Stables's
Opinion.

" Mr. Stables.—I do not wish to make any Alteration, for the present, in the Management of the Zemindary of Benares, the Kists having been regularly paid up by the present Naib, as we are informed by the Resident's Letter of the 27th ulto. and no Complaint having been made by the Resident against the Conduct of that Naib.

Mr. Macpherson's
Opinion.

" Mr. Macpherson.—The present Rajah of Benares possesses, I imagine, a Power from his Sunnud to appoint or dismiss his own Naib; but the Rajah is acknowledged, or supposed to be, incapable of exercising a proper Judgment in such Cases. The present Naib was confirmed by this Government in December 1782; and, except in the Appearances of Oppression which the Governor General saw on his Route through Benares, and the Complaints then made to him by the Natives, the Members of the Board are uninformed in regard to the Mal-administration of that Naib. He appears to have paid up the Rajah's Kists regularly, nor has the Resident made any Complaints against him.

" The Regulations proposed by the Governor General are stated to be an Expedient, and he pledges his own Responsibility for the Success of the Arrangement: In Consideration of these Assurances on the Part of the Governor General, and as it appears from his Letter that Ajaib Sing is the Choice of the Rajah and Rance, I shall agree to his Appointment, with the Checks which the Governor General proposes, I mean those of Canongos and Aumeen, which promise a Security to the Reiat. There appears to me an Objection to that Part of the Governor General's first Proposition, which declares, 'That the Rajah shall not refuse or delay his Authentication of such Papers, &c. or Orders as shall be presented to him by the Naib.' The Influence of such a Regulation might be understood, but the Regulation itself should not be publicly declared or enforced

(a) Vide Appendix, N° CCLXI.

by our Government. I imagine the Naib will always have sufficient Influence to obtain these Sanctions from the Rajah, and the Consideration, that this Power rests ultimately in the Rajah, though he may have little Capacity, may be necessary for his Protection and Consequence.

“ Mr. Wheler—In my Minute of the 19th of last Month, recorded on our Proceedings of the 20th, I delivered my Opinion on the Reply, which I thought proper to be given to the Governor General’s Letter of the 2d April, in respect to the Condition of the Zemindary of Benares, ‘ I re-

Mr. Wheler’s
Opinion.

gretted that the Governor General had not communicated to us the Plan by which he intended to accomplish the Reformation of the Country, because the Subject would have been then completely before us, and our Resolutions on it might have been as instant as he wished, and I proposed that the Governor * Governor General should be requested to lay before us the whole of his intended Plan, on receiving which we should determine finally on his Letter; and if he should conceive that bad Consequences to the Company, or a Failure of Revenue might ensue from this Delay in our Resolution, that we should give our Sanction to the Governor General for the Dismissal of the present Naib, and for the Appointment of any Person who is an Inhabitant of the Country of Benares, whose Qualifications are suited to the Charge, who is known and respected by the People, and whose Trust shall be exclusively confined to the Management of the Zemindary, to succeed to the Office now held by the Jagger Deo Sing.’

* Sic in Orig.

“ In the Letter addressed by the Board to the Governor General on the 20th of last Month, they expressed themselves as follows :

‘ We shall be happy to be made acquainted with your intended Plan for the Reformation of the Country, and make no doubt that you will keep in view the particular Circumstances in which this Government is situated in respect to Benares; we wish as much as possible to avoid frequent Changes in the Administration of the Collections, from the Consequences which such Changes must inevitably produce; we shall readily adopt any Checks which you may think likely to be effectual for securing the Happiness of the People, and the equal Collection and regular Payment of the Revenue, without encroaching upon the Rights which have been established to the Raja by the Agreement which you made with him in 1781.’

‘ We are much concerned at those Appearances of Oppression, which you observed in your Progress, through the Zemindary; and wish it may be in the Power of this Government to apply a sufficient and permanent Remedy.’

“ The Governor General has now submitted his Plan to our Consideration; and desires our early Decision on it. The Rajah is represented as incapable of the Management of the Zemindary; and the Governor justly observes, that if he were otherwise, we could not, with any Shew of Justice, transfer the Management of it from him to any other Person. His Incapacity has been long a Subject of our Belief; and it was also known to us, that the Rajah was bestowed on Naboo Mihipnarain in the Year 1781, merely because he was the next lineal Heir to it. I consider him in the Light of a Minor Zemindar, who has the nominal Charge of a Country by Right of Inheritance; but, as he is not able to manage it, a Dewan or Naib is appointed to manage it for him. The Office of Naib of Benares, was given by the Governor General, in the Year 1781, to Doorbejay Sing, the Father of Rajah Mihipnarain: Doorbejay Sing behaved ill, and was guilty of Oppressions; and was therefore removed from the Naibut at the End of 1782. He was succeeded by Jagger Deo Sing, but this Man is also represented to us by the Governor General as oppressive; and the Governor General proposes his Removal from his Office. It is true, that he has discharged the Rajah’s Kists with Regularity; but if the People grieve under his Management, and if the Country is desolated, no Time should be lost in removing him; and with him, if possible, the Evils that are complained of. And this Opinion I deliver at the same time, that I coincide entirely in that of the Board, that we ought to avoid, as much as possible, frequent Changes in the Administration of Revenue Collections: yet I would not, on this Principle, persist in allowing the Continuance of an Evil reported to us by the first Authority, when it is thought such an Evil may be stopped, because such Allowance must ultimately tend to the Ruin of the Country; and in the present Instance, of a Country which has, until lately, been esteemed above every other in India for its Fertility.

“ The Governor General’s Plan proposes Checks, which he informs us are ‘ not so much intended for the Security of the Company’s Rent, as the faithful Administration of the Charge held by the Representative of the Rajah, to whom we owe that Attention, while we preclude him from the direct Management and authorize an intermediate Agency * for in his Behalf;’

* Sic in Orig.

but I suppose that the Company’s Rent cannot be prejudiced by the Plan, since the Governor does propose a Diminution of it; and there is nothing in the Spirit of the Plan, which I conceive will have that Tendency. It is proposed as a temporary Expedient, and the Governor declares, that he will be answerable for the Effect of it as such. He has the greatest Reliance on the Wisdom and Integrity of Ally Ibrahim Cawn: he acquaints us, that the same Opinion is universally entertained of him. Ajaib Sing, the Person recommended to be the Naib in the Room of Jagger-deo Sing, is represented to us by the Governor General to be generally respected; and reputed to be well qualified for the Office. We are informed that he is the Raney’s Brother, and that he is her Choice, and the Choice of the Rajah. The Allotment to † of the Canongos, of the full Charge of their Offices, seems to be very proper, and well calculated for the Happiness of the People.

† Sic in Orig.

“ I acquiesce therefore in the Plan, leaving the Responsibility for its Effect as a temporary Expedient with the Governor General; but I agree with Mr. Macpherson to an Exception of that Part

of the Plan which proposes that the "Rajah shall not refuse or delay his Authentication of such Papers as shall be presented to him." It may be supposed that this will never happen, but we ought not to prescribe what may bear even the Construction of an Injury to the Rajah's Rights.

(Signed) "Edw^d Wheler."

Resolution of
the Board.

"Resolved, That the Governor General be authorized to carry into Execution the Plan submitted to us in his Letter of the 13th instant, the Governor being responsible for its Effect as a temporary Expedient, and an Exception being made to that Part of the First Article of it, which proposes that the Rajah shall not refuse or delay his Authentication of such Papers as shall be presented to him. (a)

(Signed at the End of the Consultation)

"John Macpherson,
John Stables."

Read, from Book 67, already delivered in, the following Extract of a Consultation of the 23d of November 1784, beginning at Page 844 of the same Book.

"Fort William, the 23d November 1784.

Secret Dept.
Tuesday.

"At a Council; Present,
The Honourable Warren Hastings, Esquire, Governor General, President;
John Macpherson, }
and } Esquires.
John Stables, }

"Read, the following Letter and Enclosures from the Governor General.

Governor General.

"Gentlemen,

"Some Weeks before my Departure from Lucknow, I issued Orders to Mr. Fowke, Ally Ibrahim Cawn, and Rajah Meyhipnaram, and Baboo Ajaib Sing, to carry into Execution the Plan which I had formed with your Approbation for the Administration of the Government and Revenues of this Province; on my Arrival therefore at this Place on the 12th of September, I found that the new Arrangements had already taken Effect, that a considerable Progress had been made in forming the Mofussil Settlement, and consequently that there remained little for me to do, except to receive the Rajah's Kistbundee, to confirm by the Sanction of my Authority the Measures already adopted, and to give Solidity to the System of Administration newly established, by habituating the Members of it, under my own Inspection, to the Exercise of the Duties of their respective Stations; but as the political Negotiations impending at Agrah, and the recent Arrangements in the Province of Oude, seemed to require my Presence in this Part of the Country for some time longer, I was desirous of employing the intermediate Period in examining more minutely the State of this Province, and enquiring into the Causes, which, independant of the Oppression of its late Ruler, had tended to promote either its Prosperity or Declension, and in Proportion as I should decern Circumstances, having one or other of those Tendencies, it was my Intention to have taken Measures for improving or obviating them.

"In the Midst of these Pursuits, the melancholy Intelligence, which I Yesterday received from Calcutta, imposes upon me a Necessity superior to every other Consideration of immediately returning to my Place at the Board, and I am obliged to bring my Proceedings here to an abrupt Conclusion.

"I have the Honour to lay before you a Translation of the Kistbundee, which was this Day executed by Rajah Meyhipnaram, for the Amount of his annual Tribute to the Company for the present Fulsullee Year 1192. It corresponds with those of former Years in respect to the Sum Total; but differs in the Proportions of Kists stipulated for each Month. In the Kistbundee, which was settled with me by the Rajah in 1781, a very heavy Payment was reserved for the latter Months. This was an Indulgence which the Rajah pressingly solicited for that Year; and it was necessary, at that particular Time, when the Country was just emerged from a State of universal Rebellion, and when the Credit and Authority of the new Government were still imperfectly established, although the Season for collecting the Revenues was far advanced. But it was not understood, either by the Rajah or myself, that it should be extended, as it has been, to subsequent Years. Every one conversant in the Collection of the Revenues, knows, that the monthly Kists of the Riots or Cultivators must be regulated by the Resources or the Produce of the Harvests, and the Aggregate of their Kists must be the Rule for the proportioning out the Demand in the different Stages of Collection, from the Riots up to the Government. If the Demand anticipates in any great Degree the Resources, the Renter must either fail in his Payments, or have Recourse to Methods of raising Money, that will terminate in the Ruin of himself and his Country. In the same Manner, if the Demand follows at too great a Distance, the Resources will probably be dissipated, or the Difficulty of collecting them increased. On these Principles

I was induced to propose an Alteration to the Rajah, which I have the Pleasure to inform you, he readily agreed to; and the present Kistbundee is accordingly drawn out on an Inspection of his own Settlement with the Mofussil Aumils and Farmers. (a)

(Signed at the End of the Consultation)

“ Warren Hastings,
John Stables.”

Read, from Book 74, the following Extract of the Appendix to a Consultation of the 24th of August 1785, beginning at Page 798 of the same Book.

“ To Mr. Francis Fowke, Resident at Benares.

“ Sir,

“ Having received a Letter from the Board, approving of a Plan which I some Time ago submitted to them, for the better Management of the Districts of Benares, I think it necessary to give you the earliest Information thereof; and accordingly, I have the Pleasure to enclose a Copy of the Plan itself, for your Perusal and future Guidance.

“ I have directed Baboo Ajaib Sing to proceed immediately to Benares; and I shall desire Ally Ibrahim Cawn to follow him in a few Days. I need not point out to you the Necessity of keeping secret the intended Change of Measures, until the Arrival of Baboo Ajaib Sing, when you will immediately proceed to put the several Persons, named in the accompanying Plan, in Possession of the Offices allotted to them. In the mean Time, if any Thing should transpire respecting the intended Change, I flatter myself that, from being possessed of full Information, you will be able to take such Measures as may prevent any Confusion, that would otherwise arise from the Apprehensions and Misconceptions it might occasion.

“ Lucnow,

14th July 1784.

“ I am, &c.

(Signed) “ W. Hastings.”

“ First, That the Raja be appointed and declared the Principal in all official Acts of the Zemindary; that he shall sit as often as he shall chuse it, in the Cutcherry; that on such Occasions all Accounts and Reports, and other official Business, shall receive his Inspection; and his Name, Seal and Signature shall be used, for the Authentication of all Orders and Instruments, to which, by the Custom of his Predecessor, they were used to be affixed; but he is neither to conduct the Business himself, nor interfere further in it than may be necessary for his Instruction.

“ Second, That the Baboo Ajaib Sing, the Brother of the Rannu Golab Coor, the Widow of Rajah Bulwunt Sing, be appointed Naib or Deputy of the Rajah, with the entire Management and Administration of the Zemindary; and his Approbation in the official Firm Munger, shall be added to all Instruments to which the Rajah's Signature is affixed.

“ Thirdly, That Ally Ibrahim Cawn be appointed Amien or Inspector, to assist the Naib with his Advices respecting the Formation of the Settlement, the new Appointment of Aumils, and Officers of the Collections, and other important Measures relative to the Zemindary, which the Naib shall duly report to him for that Purpose, and to transmit to the Naib the Complaints which shall be referred to him by the Canongos, in the Manner specified in the following Article. In all the Instances specified, the Ameen is only to advise it; the Decision is to rest entirely with the Naib, who, in the Cases of Complaints, shall cause an Enquiry to be made into them, by one Person appointed by himself on the Part of the Rajah, and another by the Ameen, the Judgement to rest as has been before provided, with the Naib only.

“ Fourthly, That the Canongoes of every Pergunnah, and other Division, where by old Custom they have been stationed, shall have full Charge of their Offices; that they shall have Access to all Mofussil Papers, and take and keep Copies of them; that they shall receive Complaints from the Ryots, and if they shall be ill founded, they shall endeavour to pacify the Ryots, and dissuade them from assembling and complaining on frivolous Occasions; but if they shall appear well founded, they shall refer them to the Aumils; and in case the Aumils neglect, or are inattentive, they shall transmit the same to the Aumun, who shall refer them for Enquiry as above to the Naib. The Canongoes shall send abstract Accounts to the Aumun, who shall cause them to be registered, and keep them as Accounts of perpetual Record.

“ Fifthly, That Mr. Fowke shall receive from the Rajah and his Naib the Monthly Payments of the Company's Revenue, in Mulcklidar Rupees, and give Receipts for each. The Rajah and his Naib shall report to him the Names of such Aumils as they shall have chosen for the Management of the Districts. * The Plan formed for the Settlement of the Revenue, and all other Business of Consequence relative to the Zemindary. But the Aumils shall receive their Appointment and Investiture only from the Rajah and Naib. If any Complaints shall be made to Mr. Fowke he shall refer them to the Naib, and they shall be enquired into and decided in † the 3d Article. When Parties of Sepoys shall be wanted for any Occasion, the Rajah and his Deputy shall make Applications to Mr. Fowke in Writing, with the Forms above prescribed in the First and Second Article; and Mr. Fowke, if he approves of the same, shall accordingly apply to the Officer commanding either at Chunagur or Buxar, specifying the Services required; and in like

(a) Vide Appendix, N° CCLXIII.

Manner, Applications shall be made by the Rajah and his Naib to Mr. Fowke for the Recall of such Parties. For these Purposes, the commanding Officers of Churnar and Buxar shall be ordered to conform literally to his Requisitions on the First Instance, but in emergent Cases, the Officers commanding detached Parties shall receive their Instructions from Mr. Fowke, and Mr. Fowke shall enter into a Book, in the Order of their Date, Applications made to him, and all official Acts done by him in consequence, and shall transmit a Copy of the same every Three Months to the Board.

"Sixthly, That the Rajah and his Naib shall establish a Cutcherry, or Office of Treasury, for the Amdanny, or current Receipts of Revenue; and Mr. Fowke and the Aumil shall appoint a Mutfuddie jointly, or One on the Part of each, who shall sit in the said Cutcherry, and keep a separate Copy or Copies of the Accounts of the daily Receipts and Disbursements. (a)

"A True Copy,
(Signed) "P. Bawers."

Read, the following Letter, from the Resident at Benares, to the Governor General, dated the 5th November 1790.

"To Earl Cornwallis, K. G. Governor General, &c. &c.

"My Lord,

"Meaning to annex the Report on the State of the Collections of Benares, for the Full Year 1197, (which ended on the 23d of September last) as a natural Sequel to that of the first Year of the permanent Settlement, the voluminous Papers concerning which are not yet all transcribed so as to admit of being transmitted; I think it however proper to acquaint your Lordship, that the full Revenue to which the Honourable Company is entitled, according to the Terms of the Settlement concluded for the Term of the Rajah's Life by the late Governor General, has with due Regularity, and without any Hardship or Difficulty been realized, thereby exceeding the Funds which were promised for the Year in Question, in my Letter of the 26th of April 1789.

"I have further the Pleasure to assure your Lordship, that I experience the heart-felt Satisfaction of believing the Country in general to be in a promising Progress of Improvement, but as this must either in the Affirmative or Negative be ere now Matter of public Notoriety, and being besides, from its Nature unsuitable for me to enlarge on, I shall cheerfully trust to the Result of all the other Information your Lordship may collect concerning it, and remain

"With Respect,

Benares,
the 5th November 1790.

My Lord,

Your Lordship's

most obedient humble Servant,

(Signed) "J. Duncan,
Resident."

"Revenue Department.

A True Copy.

"E. W. Barlow,

"Subst."

The Counsel for the Defendant desired Major Osborne might be called in.

Accordingly MAJOR OSBORNE was called in; and, being sworn, was examined as follows:

Q. How many Years was you in India?

A. More than Fifteen.

Q. From what Time to what Time?

A. From the Year 1765 to the latter End of the Year 1780; I believe it was the Month of December 1780.

Q. In what Situation was you there?

A. I latterly commanded a Corps in the Service of the Nabob Asoph ul Dowlah.

Q. Whether, during the Time you resided in India, you had any Means or Opportunity of knowing the Conduct of Cheit Sing in respect to the Company and their Ally the Vizier?

A. I had.

Q. Whether Cheit Sing behaved, during the Time that you had an Opportunity of being Witnesses to his Conduct, as a Person attached to the Interest of the Company?

A. Directly the reverse.

Q. Specify the Instances, that came within your Knowledge, in which he behaved otherwise than as a Person attached to the Interest of the East India Company?

A. It was repeatedly represented to Cheit Sing, that the Dependants on the Company's Government, Europeans and Natives, who were reduced to the Necessity of passing themselves, and their Effects, through his Zemindary, were insulted, ill-treated, plundered, and many murdered—when I speak of those that were murdered, I mean the Natives who were Dependants upon the Com-

pany's Government; and Cheit Sing could not be prevailed upon to punish the Offenders, though they were pointed out to him.

Q. Whether you remember any particular Violence of that Sort done to the Corps that was raising for yourself—to any Recruits raising for your own Corps?

A. I certainly do.

Q. State the Instance, when it was, and the Circumstances of that Outrage?

A. By a Return that I received from Major Eaton, who was the Commanding Officer at Buxar, it appeared, that he had sent off for me a Subadar, or Native Captain—a Jemmadar, or Native Lieutenant—and 200 Recruits, without Muskets; and it afterwards appeared, by the Proceedings of a Military Court, where the Witnesses had been examined upon Oath, that these People, in passing through Cheit Sing's Zemindary, were attacked by the Villagers, and the Subadar, the Captain, was killed; the Jemmadar, the Lieutenant, was knocked down and wounded; and those of the 200 Recruits, who could not make their Escape, were either killed or wounded.

The Managers for the Commons objected to the Evidence.

The Witness was asked,

Q. What other Knowledge have you of the Fact of this being done?

A. I certainly did not see the Outrage committed. If I had, I might not have been here to have told the Story—but I saw the Head of the Officer after it was severed from the Body.

Q. (by a Manager) Whose Head was that the Witness saw, the Subadar's or Jemmadar's?

A. The Subadar's Head; the other was not killed.

Q. (by Counsel) Did many of the Men make their Escape to you?

A. Yes, certainly; most of them who escaped were wounded.

Q. Can you recollect the Time?

A. It was in the Month of August, I think, in the Year 1778.

Q. Did you make any Complaints upon this Subject to Cheit Sing, or to the British Government, or to any Persons competent to redress this Injury?

A. I represented the Circumstance, as it was my Duty to do, first to the Nabob Asoph ul Dowlah the Nabob Vizier. As I was instructed to do by him, after I had given him Information of the horrid Affair that had happened, I sent the Proceedings of the Court of Inquiry, which sat to make particular Inquiry, to the Nabob; and I sent the Proceedings to the Resident at the Nabob's Court, who was Mr. Nathaniel Middleton. I sent either a Copy of the Proceedings of the Court of Inquiry, or the Depositions that were taken before the Court, to Cheit Sing, to the Resident at Benares Mr. Thomas Graham, and I sent a Copy of the Proceedings, or the Depositions, I forget which, to the Governor General Mr. Hastings.

Q. Whether you know what Steps were taken by Cheit Sing, if any, for the Punishment of the Persons guilty of this Outrage, and for the Prevention of like Outrages in future?

A. I have, I believe, already answered the Question, by saying—none; he could not be prevailed upon to do so. I stated, that this was in the Month of August. I have in my Pocket a Copy of the Letter I wrote to the Governor General. I represented other Circumstances that happened in the Country besides this. It was the Month of November, I believe, before I could receive any satisfactory Answer whatever from Cheit Sing—then he informed me, that he had sent me One of the principal Offenders, and Three others, under an Escort.

Q. Do you recollect the Names of them?

A. The Names of the principal People in that horrid Affair, I remember were Sauhul and Ranna.

Q. What Measures did the Rajah take in respect to them and their Punishment?

A. In the Month of November he wrote, that he had sent me Sauhul, and Three others, who were concerned, as he stated, to Illahabad, to be tried and treated according to their Deserts—he sent them in Charge of an Escort, he said. It was reported to me as a Fact, that as soon as they entered the Dominions of the Nabob Vizier Asoph ul Dowlah, Sauhul made his Escape, and his Escape was connived at—the other Three People were brought to me; but when I came to enquire into the Part they had taken in this horrid Affair, I found that their only Crime was, that they had given an Asylum to my wounded Seapoys—of Course I released them, and informed the Nabob of what I had done, and he approved very much of my Conduct.

Q. Did you ever afterwards obtain any other more effectual Redress for this Outrage and Injury from Rajah Cheit Sing?

A. No, never; the People went on, as I was informed, in their own Course of plundering and murdering.

Q. Whether the Police in general of Cheit's Sing's Country was good or bad, well or ill administered?

A. Certainly it was not well administered, else these horrid Acts could not have been committed with Impunity.

Q. Do you know of any other Instances ?

A. I stated to Mr. Hastings, that the Dawk, the Communication between the Army and the Government of Bengal, was cut off. I stated to Mr. Hastings, that Two European Officers had been treated very ill—One had several Cuts made at him with a Sword, which he parried off, I understood—and another had been severely beat and ill-treated.

Q. Whether Mr. Hastings received these Representations against Cheit Sing with any Degree of Partiality and Favour ; or whether, if he shewed any Partiality and Favour upon the Subject, it was not towards Cheit Sing ? How did Mr. Hastings receive this ?

A. I only know by what was communicated to me by his Excellency the Nabob Vizier and his Ministers ; for I got no Answer from Mr. Hastings to my Letter.

Q. Do you know whether the Police of Cheit Sing's Country was amended or reformed, in Consequence of any of your Representations ?

A. No, it was not ; I never heard it was ; I never understood it was ; but the Abuses were going on.

Q. Do you remember being employed as an Officer, in the Service of the Vizier, against one Ajeet Sing ?

A. Yes ; I commanded the Forces that acted against Ajeet Sing.

Q. Who was Ajeet Sing ?—what was his Situation ?

A. He was the Chief of the Tribe of Boudellars.

Q. Was he at War with the Nabob Vizier in the Year 1779 ?

A. He and his Tribes had wrested from the Nabob's Authority, certain Districts, which I was employed in recovering.

Q. Do you know whether Ajeet Sing, at the Time he was engaged in Hostilities with the Nabob Vizier, received any active Assistance from Cheit Sing ?

A. After an Engagement I had with the Rajah's Troops, those who were in the Rear of the Line of Battle, reported to me, that they saw Numbers of Cheit Sing's Horse flying away, some with their Riders, and some without their Riders. In a Redoubt I had ordered to be erected, the People in Charge of those Guns informed me also of their flying away. It left no Doubt with me, of their belonging to the Rajah ; and I represented it to the Rajah, and to the Nabob, and the Resident at the Nabob's Court.

The Managers for the Commons objected to the Evidence.

Q. By whom was this communicated ?—and was it an official Communication at the Time ?

A. It was reported to me officially by my Officers at the Time ; I had the Misfortune to be wounded ; and the first Report to me was, when I was sitting upon the Drum Head.

It being stated, that the Effect of the Evidence now given was, that, an Officer commanding a Corps in an Engagement having it reported to him by his subordinate Officer, as a Fact, that Part of the Troops with whom he was engaged were the Horse belonging to the Rajah Cheit Sing, in Consequence of such Report so made to him, made a Representation to the Rajah Cheit Sing—to the Resident at Cheit Sing's Court—and to the Nabob, and the Government.

The Witness said,

There is a Part I wish to rectify : I did not say, or at least I did not mean to say—that I am confident I represented it to the Resident at Benares ; but to the Rajah Cheit Sing—to the Nabob and his Minister Hyder beg Cawn—and to the Resident at the Nabob's Court ; but I am not certain I did to Mr. Graham.

The Managers for the Commons stated, they did not understand the Report to have been an official Report, and therefore requested the Evidence might be read : The following Questions and Answers were accordingly read by the Clerk.

Q. Do you know whether Ajeet Sing, at the Time he was engaged in Hostilities with the Nabob Vizier, received any active Assistance from Cheit Sing ?

A. After an Engagement I had with the Rajah's Troops, those who were in the Rear of the Line of Battle reported to me, that they saw Numbers of Cheit Sing's Horse flying away ; some with their Riders, and some without their Riders. In a Redoubt I had ordered to be erected, the People in Charge of those Guns, informed me also of their flying away. It left no Doubt with me of their belonging to the Rajah ; and I represented it to the Rajah, and to the Nabob, and to the Resident at the Nabob's Court.

Q. By whom was this communicated ; and was it an official Communication at the Time ?

A. It was reported to me officially by my Officers at the Time ; I had the Misfortune to be wounded ; and the first Report to me was, when I was sitting upon the Drum Head.

The Witness said,

I do not mean to say positively, that I did not represent it to the Resident at Benares: It is likely I might, but I do not recollect the Circumstance; it is a long while to recollect.

Q. Did Cheit Sing do any Thing upon this Representation made to him by you?

A. I always thought Cheit Sing a shuffling evasive Character.—I could get no other Answer from Cheit Sing otherwise than that we were both under the same Masters—engaged in the same Service—and that he gave no Countenance to it; and if it had happened, it should not happen again.

Q. Do you know any Instance of Cheit Sing's inveigling the Subjects of the Nabob to withdraw themselves from his Government?

A. The Subjects of the Nabob being generally in Debt to the Sircar have gone into his Country; and I have understood and believed, that Cheit Sing, or his Zemindars, inveigled them away: I have, on such Occasions, applied to Cheit Sing upon the Subject:—Sometimes he has written me Word, that he knew nothing about it.

Q. (by a Lord) You made these Representations to Cheit Sing?

A. I made those Representations to Cheit Sing—sometimes he wrote, that he gave no Encouragement—that he knew nothing of the Matter—at other Times he wrote to me to point out who the People were.

Q. (by Counsel) Did you ever send any Hircarras to Cheit Sing's Country to bring back these People?

A. When Cheit Sing has been hardly pushed and pressed by myself, and the Resident at Benares, Mr. Thomas Graham, he has sent an Order, directed to a particular Zemindar at a particular Place, to deliver up such People. Upon those Occasions, I do not recollect that I ever sent more than One Aumildar's Party, and One Hircarra or Two: They have, after a certain Time, returned to me, and reported, that at the Place where they have been directed to go, they have found a strong Fort, the Walls of which have been lined with armed Men, who, at their Approach, returned an insulting Answer to myself; and the People have reported, that Cheit Sing had apprised them, that I should send such People.

Q. Do you know of Cheit Sing's keeping up any large Body of Troops within his Territories?

The Managers for the Commons desired the last Question and Answer might be read.

The same were accordingly read by the Clerk.

Q. (by Counsel) Did you ever send any Hircarras to Cheit Sing's Country to bring back these People?

A. When Cheit Sing has been hardly pushed and pressed by myself, and the Resident at Benares, Mr. Thomas Graham, he has sent an Order, directed to a particular Zemindar at a particular Place, to deliver up such People. Upon those Occasions, I do not recollect that I ever sent more than One Aumildar's Party, and One Hircarra or Two: They have, after a certain Time, returned to me, and reported, that at the Place where they have been directed to go, they have found a strong Fort, the Walls of which have been lined with armed Men, who, at their Approach, returned an insulting Answer to myself; and the People have reported, that Cheit Sing had apprised them that I should send such People.

The Managers for the Commons objected to the Evidence.

Q. (by a Lord) Do you know of Cheit Sing's keeping up any Forces?

A. My Answer, as I heard it read, was not so correct as I gave it. I said the People on the Walls of the Fort menaced the Approach of my People, and returned an insulting Answer to myself.

Q. Was that Answer brought back to you by the People whom you sent upon that Business?

A. When the Report was made to me by the Aumildar who commanded the Party, and the Hircarra, I examined every Man of the Party—had them personally before me.

Q. And what was the Report you so received?

A. That was the Report I so received from the People I examined; and I examined them all.

Q. (by a Lord) You were asked, Whether Cheit Sing kept up any Forces in his Country?

A. Yes; I understood that he did; and I sent People to see them, who returned to me, and reported, that in one Place in particular, they saw what they conceived to be 10,000 Horse. I confess, I did not give Credit to that Number. It is very difficult to ascertain the Number of an Army where there are no Returns made. That was the Report made to me; but I did not credit there was such a Number.

The Managers for the Commons submitted, whether the above was admissible Evidence.

The

The Managers for the Commons were informed, That if they heard any Question asked, or perceived any Evidence about to be given, which in their Apprehension was not legal Evidence, they should object to it: And being asked, whether the Form of their present Objection, if any, was not—That an Officer commanding a Corps, and sending out his subordinate Officers upon the Business of the Corps, cannot give in Evidence the Report made to him by those subordinate Officers?—acquainted the House, that was not the Objection they made. And being heard to state their Objections, and the Counsel for the Defendant being heard in Answer to the same,

The following Question was put to the Witnesses:

Q. (*by a Lord*) Whether, in the Field, you have your Reports made to you in Writing, or verbally?

A. The Report that I had made to me, relative to the Number of Horse I understood Cheit Sing had, in the interior Parts of his Country, was not made in Writing to me; it was made to me verbally by Hircarras.

Q. (*by a Manager*) What is an Hircarra?

A. A Spy; and this was the head Hircarra I had.

Q. (*by a Lord*) They were Persons sent out in the Course of your Military Service?

A. Yes; and employed expressly for the Purpose.

The Managers for the Commons objected to the Evidence.

Q. Whether, from the Whole of what you observed during your Residence in Cheit Sing's Country, and the Information you was able to collect, you could form a Judgment whether Cheit Sing was meditating to withdraw himself from his Allegiance to the Company, and establish his own Independence?

The Question was objected to by the Managers for the Commons.

Q. What have you observed in the Conduct of Cheit Sing, that indicated a Disposition in Cheit Sing to subvert the Authority of the East India Company, and to erect his own Independence upon it?

A. I only speak from his Conduct in the Engagement I had with Adjeet Sing, as it was officially reported to me. I have no Doubt in my own Mind, that at that Time he had considerable Bodies of Troops in the Country, which he could not want for his Collections; and the Hircars I sent out reported to me that his Forts were well garrisoned.

Q. (*by a Lord*) What Knowledge have you of the Military Force that Cheit Sing kept up in his Country?

A. I cannot speak as to Numbers; I can only speak to the Reports made to me, as the Commanding Officer in that Part of the Nabob's Dominions where I was—it was reported in the Country, which made me very particular in my Inquiries, that the 10,000 Horse, said to be encamped somewhere in the interior Parts of Cheit Sing's Country, were designed to be employed against my Corps.

The Counsel for the Defendant were informed, That what the Witnesses observed in the Conduct of Cheit Sing upon the Occasion, was Evidence; but not the general Report of the Country.

Q. Do you know whether it is usual in Hindostan, for Persons standing in the Relation, in which the Nabob stood with respect to Cheit Sing, before the Cession of Benares to us, or in which the Company afterwards stood, to demand Military Aids, or to receive Assistance of Troops and Money in Time of War. Do you know in what Relation Cheit Sing stood?

A. Before he was tributary to the Company, he was tributary to the Nabob.

Q. Is it usual in the Country of Hindostan, for Sovereigns to demand from their Zemindars military Assistance in Time of War in Troops or Money?

A. I never knew it otherwise, and I have known where it has been so.

Q. State any Instance where it has been so, particularly with Regard to the Nabob of Oude?

A. Do you mean the general Usage?

Q. Yes.

A. There was a Rajah of the Name of Purtnea Sing, who held Land in the Country of the Maha Rajah Ajeet Sing, whom I before stated to be the Chief of the Boudellars. This Man, Purtnea Sing, was in the Service of Omrad Sing, the Chief of the Bundellas; the Rajah Purtnea Sing told me he had been summoned from Bundelcund to come and serve in the Army with Ajeet Sing, against the Forces of Suja Dowla, in consequence of the Tenure he held in Bundelcund.

Q. Do

Q. Do you know whether Cheit Sing himself, prior to the Territory being ceded to the Company, ever afforded any Assistance in Time of War to Sujah Dowla ?

A. I was resident at Gauzepore, the Capital of the District of that Name, in Cheit Sing's Country, in the Years 1773 and 1774. I think it was the latter End of the Year 1773, or early in the Year 1774, I was informed by Cheit Sing's Civil Officers, who were at the Town of Gauzepore, that the Horse which had been quartered there in the Pay of Cheit Sing, were gone to Sujah Dowla.

The Managers for the Commons objected to the Evidence.

Q. (by a Lord) Had you any Knowledge of this ?

A. Of the above Circumstance ?—I did not see the Horse march, but I believe they went to Sujah Dowla.

The Managers for the Commons objected to the Evidence.

The Witnesses said,

A. I saw Tribes of Hindoos, with their Chiefs, encamped near Gauzepore ;—at that particular Time I enquired where they were going ? and they informed me they were going to Cheit Sing, to receive his Instructions about joining Sujah Dowla.

Objected to by the Managers for the Commons.

The Counsel for the Defendant being heard in answer to the Objection,

The Witnesses was asked,

Q. (by a Lord.) Do you know whether this was done in consequence of the Relation in which this Tributary stood to his superior Lord, or in consequence of any particular Engagement ?

A. I always understood it was an usual Thing for a Sovereign, when he was at War with another Power, to call upon his Zemindary for Assistance.

Q. But with regard to this particular Instance, whether these Troops were moving at the Requisition of a Sovereign Power, or not, you have no Knowledge ?

A. I can only speak from what I understood ; I understood it was at the Command of Sujah Dowla to Cheit Sing, and that Cheit Sing had ordered his Zemindars to assemble with Troops.

Q. (by a Lord.) You collected that from Conversation ?

A. I did.

The Counsel for the Defendant were informed, that it was no Evidence.

Q. Whether you know, of your own Knowledge, of any actual Assistance furnished to Sujah Dowla in Time of War ?

A. I certainly did not see the Horse march, but I believe the Fact, that they marched to join Sujah Dowla, as much as I believe any Fact I did not see with my own Eyes.

Q. Did you see them drawn out in a State of Preparation for that Service ?

Q. No ; I did not. I was going to add that of the People I saw in the Camp of Gauzepore, it is so long ago as 1773 or 1774—One of the Zemindars who commanded a Tribe paid me a Visit on his Return from Cheit Sing, and he told me, he and his People had remained with the Rajah Cheit Sing during the Absence of his Troops in his immediate Pay, and who had gone to Sujah Dowla.—I recollect while I was at Gauzepore, if I confound not one Time with another, for there were Three Times, Cheit Sing called upon his Zemindars to come with their Troops, and such Bodies as they could command, to his Assistance.

Q. (by a Lord) You have no Knowledge of that of your own ?

A. No, I have not.

The Counsel for the Defendant stated, That if the above was not admissible Evidence, they waived any further Question on the Subject.

Q. Have you had an Opportunity of observing the Condition of other Countries in India, in point of Agriculture, Police, and Population, as compared with those under the Authority of the Company ?

A. Yes.—What is the Time you allude to ?

Q. During the Period of Mr. Hastings's Government ?

A. It would be difficult for me to point out, where there was any Police in any Country with an Exception of the Company's Dominions, any Thing fit to be called a Police.

Q. Were these Objects well attended to by those who had the immediate Management of the Country, under the Administration of Mr. Hastings ?

A. With an Exception of Parts of the Bahar Province, particularly the District of Boogepore, Justice appeared to me to be duly administered ; and the Country seemed to me to be in a very flourishing

flourishing State, and was considerably improved, with an Exception to those Parts, considerably improved at the Time alluded to.

Q. Were they generally well administered ?

A. At the Time alluded to, during Mr. Hastings's Government, I certainly do think they were in every Part of the Company's Dominions, with that Exception.

Q. Whether you observed any considerable Improvement in those respects during the Government of Mr. Hastings, compared with the Situation in which those Countries had been prior to his Government ?

A. In every Part of the Company's Dominions, that I had an Opportunity of seeing, before Mr. Hastings's Government, and during the Time of his Government (with the Exception of Parts of the Bahar Province, and particularly that Part I have already mentioned) certainly the Country was considerably improved under the Government of Mr. Hastings.

Q. In what Estimation was Mr. Hastings held by the Natives of the Country during all the Time you resided there ?

A. I believe the People in general thought very favourably of Mr. Hastings, both in his public and private Character ; and I recollect perfectly well to have heard Rajah Cheit Sing and his Dewan, Oufan Sing (early in the Year 1773, which was before the Zemindary was ceded to the English Company) speak of Mr. Hastings as a Man in their Opinion of great uncommon Abilities, and well calculated for the Government of India ; and I have heard many of the Natives of India speak of Mr. Hastings to the same Effect.

Q. Was that the general Estimation in which Mr. Hastings was held during the whole Period of his Government ?

A. I believe Mr. Hastings was held in high Estimation by the Generality of the People, the Natives of the Country.

A. It has been stated, that he was guilty of a Series of Acts of Injustice, Inhumanity, Oppression, Violence, and Bloodshed—whether during the Time you resided in India, any Thing came to your Knowledge which made you think Mr. Hastings was unjust, inhuman, oppressive, violent, or sanguinary ?

A. Directly the contrary.

Q. (*Cross examined.*) Upon what Duty was you employed in the Country of Benares when you was there ?

A. I was first in that Country in the Time of the Rajah Bulwant Sing ; I then commanded a Subaltern's Party, at a Place called Chonfer, on the Confluence of the River Carumnassa and the Ganges ; a Place deemed of Importance, being the Key to Sujah Dowlah's Dominions ; this was in the Year 1770—I believe the Year that Bulwant Sing died.

Q. The Question is, as to the Year 1778 ; when you speak to Cheit Sing's Misconduct, and to the Circumstance of his keeping a great Body of Horse ; what was your Duty and Mission at that Time, in the Benares Country ?

A. I believe I have already said, in Answer to a Question put by the Counsel for Mr. Hastings, that I was in the Nabob's Country at that Time ;—in the Service of the Nabob.

Q. Then, was you at all, during the Period of which you speak, or at any other Period, in the Rajah Cheit Sing's Country, called the Gauzepore Country, or Benares ?

A. I was frequently upon the Banks of the River Taunse, which divides that Zemindary from the Nabob's Dominions.

Q. Then you never passed the Boundaries, or was actually in Cheit Sing's Country, during the Period spoken of ?

A. I certainly was, or I could not have got to the Nabob's Country.

Q. Whether you was resident, and in what Character and Function in the Country of Benares, during that Period ?

A. I was in the Service of the Nabob Afoph ul Dowlah, employed with my Corps, and had full Employment without running into Cheit Sing's Country.

Q. Was you in the Country of Benares, during that Period ?

A. I was at Benares ; I left Calcutta to go up to the Nabob, and passed through Cheit Sing's Country to go to the Nabob.

Q. Did you know it only as a Passenger ?—Did you say you never did reside in that Country ?

A. Not that Year ; I was resident in the Country before.

Q. What was the Nature of the Military Service in which you was employed upon that River, which borders so nearly upon the Rajah of Benares Territories ?

A. I was employed in reclaiming the Rebels, to the Sircar, to the Nabob and his Government, of Two Districts ; and in recovering to his Jurisdiction other Districts which he had been

been derived of by the Boudellas and Bundellas; I have the Nabob's Orders in my Pocket.

Q. Then you was not in the Company's Service, but in the Service of the Nabob Asoph ul Dowlah?

A. No; I was not in the Company's Service, I was in the Service of the Nabob Asoph ul Dowlah, by the Permission of the British Company in India, and I was in the Habit of thinking their Interests were one and the same.

Q. When you were in that Country, what Military Service was you in that made you send Hircarras into the interior Country to discover the Number of Horse kept up by the Rajah Cheit Sing:—whether you had any Orders from the Nabob, or the Company to do?

A. It was the Report of the Country that the Troops encamped in Cheit Sing's Country, which I before mentioned were reported to have been 10,000 Horse, were designed to act against the Corps under my Command, in the Nabob's Country; and I thought it was high Time to enquire into their Motions and Destination, and to prepare for their Reception.

Q. Whether you had any Orders from the Nabob, or the Company, to make that Enquiry?

A. I frequently represented to the Nabob, that I did not believe that Cheit Sing felt himself interested in the Government of this Country; in his Country, when I heard of such a Force being collected, I knew Cheit Sing could not want such a Force for the Business of his Collections, and I sent People purposely to enquire what was the Force; to get what Information they could, and to give it me upon their Return?

Q. Who told you first that that Force was collected, which you sent Hircarras to enquire into?

A. It was the Report of the Country, that there was such a Force; 10,000 Men fill a great Space in the Eye of a Country; in order to be satisfied, I sent People in whom I had a Confidence, and whom I could trust, and they confirmed the Report I had heard.

Q. In what Part of the Country were they collected?

A. The Name of the Place I cannot tell; they were encamped, but they shifted their Encampment; but the first Information I had of them was, when they were within a Day's March of Chunargur near the Bundelcund Road upon the High Delhi Road.

Q. Did the Hircarras give you an Account of any of the specific Places where this Army was assembled?

A. They certainly did; but it is a considerable Time for me to recollect any particular Place and Name, such an out of the Way Name as it was: Hindostanny Names were all familiar to me at the Time, but I cannot recollect the Place; and I find they used to shift from one Place to another. There was a Name mentioned when I first heard it, but I cannot recollect the Name.

Q. Have you any Note or Memorandum, written at the Time that you made the Report of the Hircarras?

A. I was in Hopes if they came I should have made a very good Report of them.

Q. Have you any Memorandum in Writing of the Report which the Hircarras made to you?

A. No; I may have, but really I cannot say that I have.

Q. As you say you could probably have given a good Account of the 10,000 Horse, if they attacked you, what Force had you under your Command at that Time?

A. I had the Command of 1000 Infantry; or 1500 Infantry at that Time; they were formed into Two Battalions; a complete Company of Artillery, and some Horse, but what was the Number I forget: I make no doubt, if they had come I should have done my best: My Corps had defeated a much larger Number of Ajeet Sing's Army, and I hoped to have been successful against Cheit Sing then, if he had come.

Q. What were the Numbers of Ajeet Sing's Army?

A. I should be sorry to declare, upon my Oath, what the Number of an Hindostanny Army is; there are no Returns made. A Man will come in and report he has brought 4,000 or 5,000 with him, in order to ingratiate himself with the Chief, whereas he may not have brought more than 2,000. So what we hear of Armies of 100,000 or 200,000 Men, is not above one half true.

Q. What was the direct Report of the Hircarras relative to that Body of Horse?

A. The direct Report of my Hircarras was, that there were 10,000 or thereabouts, and it was said in their Buzar, the Market that attends them to supply Provision, that they were designed to act against my Corps: That was the Report I had previously heard in the Country, before I sent off my Hircarrahs.

Q. Did .

Q. Did you believe the Report of the Hircarrah, of the Numbers of the Rajah's Horse, and their Destination?

A. I cannot say I did, I had sometimes my Doubts :—from the Rajah's Conduct before, I did not doubt but he was hostile to the Interest of the Nabob.

Q. Whether, upon the formidable Appearance of a Body of 10,000 Horse, designed against your Corps, you gave Notice of it to the Resident of Benares?

A. I don't recollect that I did. I was under the immediate Orders of the Nabob, and I certainly communicated to the Nabob; what I understood and what I heard; but to the Resident I don't know. I had made a great many Complaints against Cheit Sing, but it answered no Purpose. When I complained to the Nabob of Cheit Sing's Conduct, his Answer was, he is not a Dependant of mine now, he is a Dependant of the Company, what am I to do?—I represented a Case to the Board, respecting the Subadar and the Recruits.

Q. Then you never made any Representation of this Appearance of the Horse, and of their Destination, to the British Resident at Benares?

A. I don't recollect that I did; I might have done it possibly: The Right Honble. Managers may have some Letters. I am sure I mean to give a very fair Evidence. It is such a Distance of Time I do not recollect.

Q. Whether you gave any Notice of it to Mr. Hastings, as Governor General?

A. No. My Correspondence was with the Nabob principally.

Q. If you thought it an Army collected by Cheit Sing, whom you declare you believe to have had evil Intentions towards the British Government, would you not have thought it your Duty to represent it to the British Government, or to the Resident?

A. I did inform the Resident at the Nabob's Court of it; I believe I might have let the British Resident at Benares know it, but I don't know whether I did or not; but the Nabob, whom it was my Duty to inform of every Circumstance of the Kind, I certainly informed of it.

Q. Do you mean to say, that you informed the British Resident at the Nabob's Court of it?

A. Yes, I did, but not at that particular Time.

Q. Whether or no, you can charge your Recollection with having written an Account of this to the British Resident at Oude?

A. I cannot; I certainly was at Lucknow for a few Days some little Time after, and I remember very well mentioning it there; and I have some remote Recollection of having mentioned it in some of my Correspondence, but I cannot be certain. I was tired out in making Complaints, and I had made up my Mind how to act.

Q. Do you recollect the specific Time of the assembling of this Body of Horse?

A. I knew they were there from Report early in the Beginning of 1780, or in the latter End of 1779, and as long as till June 1780, when the Rains set in.

Q. Then it was not in the Year 1778?

A. I did not state it so, I hope. I stated it was in the latter End of the Year 1779 or in 1780, as long as till June when the Rains set in?

Q. Then, you are positive that this Event did not happen in the Year 1778, but the latter End of 1779, so late as nearly to touch 1780?

A. I am confident of it.

Q. Then, as you made no Remonstrance to the British Resident at Benares, nor are sure that you made any to the Resident at Oude, did you make any Representation to Cheit Sing himself?

A. I have some Recollection of Writing to Cheit Sing himself about it.

Q. When?

A. In the Year 1780. I remember a Couple of Hircarras I sent out to be more satisfied; I desired these two, after they had made their Observation, to go with a Letter to Rannagur, to Cheit Sing.

Q. Do you recollect the Hircarra's Name?

A. I should know the Man's Face again if I were to see him here, but I don't recollect his Name at this Distance of Time?

Q. Have you kept any Copy of the Letter?

A. I don't know that I have a Copy of it, and I don't know that I have not; the Copies of Letters that were written to the Rajah and to other People of the Country were written in Persian; a Copy of those were kept in the Duffier, but still I think I possessed myself of all the Copies out of the Duffier, or most of them, before I left the Nabob's Service, and very likely I did of that; but I never could have supposed I should have been called upon for these Facts.

Q. By

Q. By the Duffer, do you mean your own Duffer ?

A. I do not mean my own, but the Duffer kept by the Officer of the Sircar ; I mean the Office of that particular District.

Q. And there you left the Copies of your Correspondence ?

A. I really cannot say that ; it is possible I did, and that I did not. I possessed many Copies, some I brought to Calcutta, some I left there, and some I brought to England. I don't know what became of a Paper of that Kind.

Q. Whether you have the Copies of any of the Letters which you wrote to Cheit Sing, complaining of the Misconduct towards Officers and Soldiers under your Command ?

A. It is very likely that I have ; in my own Mind I am persuaded I have—but I am sure I should be very sorry to depose to that, to a Certainty.

Q. You said you received some Answers from Cheit Sing, which you did not conceive satisfactory—have you those Answers ?

A. I make no Doubt I may have some of those Answers too.

Q. Whether or no, you wrote at any Time, and when, to Mr. Hastings, on Account of the alarming Conduct you observed in the Subjects of Cheit Sing, and his refusing or declining to do Justice upon the Offenders ?

A. I made the First Representation to Mr. Hastings. I have a Copy of the Letter I wrote ; if I may be permitted, I will read it.

Then the Witness produced a Paper, and read the same as follows :

“ C O P Y.

“ Sir,

“ The Paper that I have the Honour to enclose you, contains the Substance of several Depositions, which, permit me to request you will consider. To such a Pitch of Insolence have the Villagers arrived, on the Benares Road, that Travellers are afraid to pass. Many have been the Murders committed of late. The Cawnpore Dawk was cut off early in the Month, in which was a Letter addressed to you from the Nabob. As a Duplicate may not have been transmitted, I beg Leave to accompany this with a Copy. Two European Officers have been ill treated by the People ; one of them had several Cuts made at him, and the Servants of both are dangerously wounded. I have transmitted the same Account to the Nabob, Mr. Middleton, Cheyt Sing, and Mr. Graham.

“ Allahabad,
31st August 1778.

“ I have the Honour, &c.
(Signed) “ John Osborne.”

“ To the Honble. Warren Hastings Esquire.

Q. What Answer did Mr. Hastings make to that ?

A. I think I have said already, that I received none from Mr. Hastings.

Q. When this Inquiry was made concerning those Misdemeanours, who made it ?

A. Upon the Arrival of the Jemmadar, who, as I before stated, was knocked down, and my wounded Recruits, in order to be satisfied of the Jemmadar's Conduct, as he had escaped, I wished to know if he had behaved properly ; and to satisfy myself of every particular Circumstance of the Transaction, I ordered a Court of Inquiry, composed of the Officers of my Corps, to sit on the Conduct of the Jemmadar, and I particularly directed that the Witnesses that were examined, might give their Evidence upon Oath, which they did ; and according to the usual Custom of that Country, of having an Oath administered, it was administered by a Brahmin.

Q. Of what Officers was that Court of Inquiry composed ?

A. Of Subadars, native Captains, and Jemmadars, Lieutenants.

Q. Was there no European Officer in the Composition of that Court Martial, or Court of Inquiry ?

A. No European Officer ; it was an Inquiry sitting upon a Native, and of course it was composed of Natives. But I ordered a Serjeant Major to attend, and write down the Proceedings in English, as they were translated by the President of the Court ; a Moonhee.

Q. Do you remember the European ?

A. It was a Serjeant Major ; I had Five of them, and really I cannot recollect which it was. I always, on a Court Martial, or on a Court of Inquiry, had one of those Men to attend.

Q. Whether the Persons complained of appeared at that Court ?

A. I should have been very glad to have got them ; but I could not get them ; that was my very Request to Cheit Sing, to deliver them up.

Q. Did you specify to Cheit Sing the Persons you demanded to be delivered up ?

A. I did.

Q. Who were they ?

A. Saul and Renna, two principal Zemindars, who I understood were the Principals in the Murder of my People.

Q. Were they delivered up to you ?

A. I have stated, I believe, that they were not delivered up to me. I have stated, that the Rajah, in consequence of the Interference of the Board, so late as the Month of November, informed me he had sent, under the Charge of an Escort, One of these People, whose Name was Saul, and Three poor innocent Creatures, whose only Crime was, they had afforded an Asylum to my wounded Seapoys.

Q. Whether the Two Persons demanded were not amongst those who came ?

A. I have said already, I received none but these Three People—One of their Names was mentioned. There were Four People: Saul was One, whom the Rajah informed me he had sent, and Three totally innocent Men—their only Crime was, that they afforded an Asylum to the wounded Men.

Q. What Evidence had you of the Guilt of Saul ?

A. I had the Evidence of some People of the Country afterwards, peaceably disposed People—they were not all Murderers, though there were enough of them. I had the Evidence of some few of them, at least the Court had. I never attended the Court of Inquiry; I never saw it; they made their Report to me. There were the Evidence of some few of those People, and of some who had escaped.

Q. Whether the People sent to you were the specific Persons you demanded ?

A. I received none but the Three that I mentioned.

Question repeated.

A. Saul was One that I demanded; and after repeated Letters, and that such a Time had elapsed as from August to the latter End of November, the Rajah informed me, he had sent Saul and Three others, whose Names, I believe, he did not specify—they were the Three innocent Men, and if I had known how humanely they had behaved, I certainly should have demanded them, to have rewarded them.

Q. Have you the Letters you wrote to Cheit Sing, and his Answer, or Copies of them ?

A. I do not know that I have; I took particular Care of some English Letters I received from the Residents, One from Mr. Graham, and One from the Resident at Lucknow.

Q. Whether the Rajah delivered up Saul to you ?

A. He did not deliver up Saul to me. I wish I could have got him.

Q. Did the Rajah send him; Aye or No ?

A. I have stated that he informed me he had sent Saul, with Three other Men; but as soon as these People arrived in the Nabob's Country, Saul was allowed to make his Escape.

Q. How do you know that Saul was allowed to make his Escape ?

A. I have said it was so reported to me to have been the general Opinion. I believed it at the Time. I cannot possibly say what might have been their Instructions; I only speak from Belief, that he had given private Instructions that this Man should be allowed to make his Escape. There was Evidence enough to prove the Guilt of that Man. The others proved innocent. I represented the Case to the Nabob. I hold in my Hand a Letter from the Resident Mr. Middleton, expressive of the Nabob's Sentiments upon the Occasion.

Q. Was it in Cheit Sing's Country, or in the Nabob's Country, that the Escape took place ?

A. I believe I have repeatedly said; as soon as they arrived in the Nabob's Country. I am sure I mean to give a very fair Evidence. I may be puzzled as well as any other Man; but I mean well.

Q. What Measures did you take to recover Saul in the Nabob's Country, after he made his Escape ?

A. At the Time, I was told he had made his Escape, just coming into the Nabob's Country; they halted with the Men within a few Cos of Illahabad; they then might have arrived that very Night; but he made his Escape in the Course of the Day. I suppose he did not come into the Nabob's Country, as he might be taken there; it is most likely he returned again into Cheit Sing's Country.

Q. What Measures did you take to regain him in Cheit Sing's Country ?

A. I did what I thought was my Duty. I represented the Case to the Nabob and to Mr. Middleton; not that I thought it a Matter of Duty to represent it to Mr. Middleton. I was Servant to the Nabob; but I thought that the most likely Means to obtain Redress.

Q. Whether you represented this negligent Escape to Cheit Sing, Aye or No?

A. Undoubtedly, I represented it to Cheit Sing: I hope it has not been understood, that I said I did not mention it to Cheit Sing; certainly I did; but I said it was my immediate Duty to represent it to the Nabob, and I did represent it to the Nabob.

Q. (by a Lord) The Question is, whether you remember the Circumstance of having represented it to Cheit Sing?

A. I do; I represented it to the Resident Mr. Graham, and to Cheit Sing: I represented that Circumstance to the Resident Mr. Graham, at his Court, and to Cheit Sing: I represented it first, as it was my Duty, to the Nabob; I believe, there could not have been the Difference of many Hours.

Q. The Question is, whether you represented the negligent Escape, to Cheit Sing?

A. I did.

Q. And to the Resident?

A. I did.

Q. Then, as you represented it to those Persons, what Measures did you take with the Persons who were guilty of that wilful or negligent Escape?

A. What could I do with the Company's Subjects, for they were People belonging to Cheit Sing's Country; what was I to do with them, when I was in the Nabob's Dominions?

Q. Did not the Escort come into the Nabob's Territories?

A. It is not usual, I believe, when a Commanding Officer receives an Escort, to take the Escort, and imprison and confine them. I returned them to Cheit Sing.

Q. If you had convicted Saul, would you have thought proper to have punished him?

A. I should not have hanged him; he would have deserved to be hanged, but I should have left that to the Civil Power.

Q. How would you have punished him?

A. I should not have tried him; I should have represented it to the Nabob; I mean that Man, Saul—but as to the other Three, I should have released them, as I did.

Q. Upon what Evidence did you release these Three Men?

A. Upon the Evidence, they had not been guilty; that they deserved Reward rather than Punishment; and the Nabob approved of what they had done.

Q. Upon what Evidence?

A. Upon the Evidence of my People who had benefited by them;—those who survived and returned;—there were enough who returned to acknowledge their Gratitude for the Protection they had received from these Three Men.

Q. Then, is it to be understood that these Men were Three of the Country People, who had no Share in these Disorders, but were kind and benevolent to your Soldiers?

A. They were.

Q. Whether in any of the Representations made upon that Subject, that Kindness and Benevolence of the Country People ever was mentioned?

A. It certainly was, with all the Justice that was due to the People. I have read a Copy of my Letter to Mr. Hastings, in which I did not represent it to him; but I have said I did not write to Mr. Hastings; but I did to the Nabob.

Q. Was it to Cheit Sing?

A. Certainly to Cheit Sing.—I could not have let such a Circumstance escape me.

Q. Does the Letter exist?

A. I do not know.

Q. Whether you know it does?

A. It may or may not;—If it does, it is in the Persian Language.

Q. Did you correspond with the Resident, in the Persian Language?

A. No.

Q. Did you write an Account of the good Behaviour of that Part of the People to the Resident?

A. These Three Men no Doubt I mentioned in the favourable Terms they deserved: That I did to Cheit Sing I perfectly remember, because I stated his Perfidy, in having sent these Three innocent Men when he should have sent the guilty.

Q. Do you think Saul was innocent?

A. I do not think he was, because I had every convincing Proof from Testimony taken upon Oath that he was guilty.

Q. Have

Q. Have you that Testimony ?

A. I speak of the Proceedings of the Court of Enquiry. It is likely that these Proceedings, or Copies of them, were laid before the Governor General and Council. If I had the Proceedings they could be only a mere Copy, for I think I must have sent the real Proceedings to the Nabob.

Q. Whether any Person was present on the Part of Cheit Sing, upon any of the Occasions, when these Affidavits were taken ?

A. I instituted a Court of Enquiry to satisfy me of every Particular, and to sit immediately,

Q. Whether any Persons, on the Part of the accused Party, either of Cheit Sing, or of the Zemindars supposed to be guilty of these Offences, were summoned to the Court of Inquiry, and whether they came ?

A. I wished very much to have had them, but I could not get them.

Q. Whether they were there, or not ?

A. They were not: Some came voluntarily in: Those, I found, had assisted the wounded who gave Evidence, which explained the horrid Act that had taken place.

Q. Whether the Persons against whom you instituted this Enquiry, had any Opportunity whatever to attend this Business ?

A. An Opportunity they had; if they had been innocent they would have come; those that were innocent did come.

Q. Whether the Court of Enquiry was held within the Territories to which they were amenable, or out of it ?

A. It was held within my own Jurisdiction, and was composed of all the Officers of my Corps.

Q. Whether or no, any of the Persons who were supposed to be guilty of these Outrages or Offences were summoned to appear, either by themselves or by their Vakeels, or to send any Persons on their Part to assist at the Enquiry made into their Conduct ?

A. For a Time those People absconded: I did not know where they were gone; I could not look after their lurking Holes; I might as well have looked after the lurking Holes of the Mongooze.

Q. Had they Notice ?

A. They had none from me. I wished Cheit Sing to have found them out: They could not have Notice from me; I could not tell where to look for a Set of Cut Throats.

Q. In what Town, Village, or Place was the Court of Enquiry held ?

A. In my Cantonments at Illahabad.

Q. How far is it from the Residence of those Zemindars, those Cut Throats ?

A. The Banditti of Cheit Sing ?

Q. The Banditti of Cheit Sing ?

A. The Affray happened—this horrid Act happened, as it was stated to me, and as the Proceedings of the Court of Enquiry state it, about 14 Cofs from Illahabad.

Q. Whether or no, you have ever heard that Soldiers marching through that Country, who had been insulted, did ever, upon any Occasion, give any Provocation for it ?

A. I know that I did not understand that my People gave any Provocation.

Q. (by a Lord) Whether in general, Soldiers that march through the Country might not give Provocation ?

A. Except in the Case of a few Officers, I have not stated that Soldiers have been insulted in that Manner; but I never heard of their giving any Provocation for ill Treatment.

Q. No Soldiers in the Pay of the Nabob, or in the Pay of Great Britain, ever had given any Provocation whatever to the People of the Country to insult them ?

A. If the Question is confined to the People of the Country, no: I have always understood the greatest Discipline was observed.

Q. Were these Soldiers, Recruits ?

A. They certainly were; I wish they had been Soldiers; they had no Muskets.

Q. Whether your Answer relative to Discipline, was applicable always to Recruits as well as to Troops ?

A. The Recruits had no military Discipline; but I understood they conducted themselves in a very proper orderly Manner, and were well attended to by their Officers.

Q. Whether you never heard of the Misbehaviour of Troops passing through that Country ?

A. No; I do not recollect that I ever heard of Misconduct imputed to the Troops in the British Pay passing through the Country.

Q. Have

Q. Have you specifically heard there was any Complaint against those under the immediate Command of Major Eaton?

A. I never did.

Q. Whether you have heard of any Enquiry in consequence of supposed Complaints upon the Subject?

A. I never did.

Q. Whether you ever heard of any Complaints concerning the Conduct of Native Troops under British Officers in any Part of those Countries; the Nabob's Country?

A. Yes, I heard that the Mahar Rajah Ajeet Sing, had complained of myself and Corps, for having defeated him and taken his Forts.

Q. Did you ever hear of any other?

A. Yes; I heard that a Man of the Name of Ismael Beg, who had assisted in throwing a Country into great Confusion, complained that he had not an Opportunity of resuming his Authority again in it.

Q. Did not the Nabob complain of you specifically? Did he receive Complaints against you and your Corps specifically?

A. I have no Objection to answer; I am not afraid to meet that Question; I have in my Pocket every Order I received from the Nabob for my Party, from under the Nabob's own Hand Writing; Persian Papers. I have the Testimony of the Nabob's warmest Approbation of what had been my Conduct. I have a Receipt from the Nabob for every Claim on Account of the Revenues of the Country committed to my Care; a Receipt in full when I left him; and I have a Copy of favourable Testimony of my Conduct to the Governor General at the Time I left his Service. On these Grounds, I am not afraid to meet the Production of any Evidence.

Q. Whether you have not heard much Complaint of the British Officers and the Corps under your Command in the Nabob's Dominions where you served?

A. No, I do not recollect; I was always in the Field, with an Exception: Altogether I am sure I was not away from the Troops for Five Weeks, and I was at a considerable Distance from other Troops having British Commanders.

Q. Whether you have not heard of strong Complaints against yourself?

A. I never did hear directly or indirectly, officially or privately, that the Nabob ever preferred a Complaint against me to the Governor General and Council; I did hear that Ajeet Sing complained to the Governor General that I had defeated his Army and taken his Forts, and he complained as every Man does who is conquered.

Q. Do you say you never did hear of any Complaint in that Country to the Nabob of your Conduct?

A. I have already stated there was committed to me the Charge of Two Districts that were in open Rebellion: that a Man of the Name of Ismael Beg, by his Misconduct in those Districts, and the natural Disposition of the Zemindars to revolt, had thrown the Districts into the Confusion I have stated. When I restored Peace to the Country, and it began to be in a very fine flourishing Situation, this Man complained that I was in Possession of what he wanted to resume; but here are the Nabob's Orders for my taking Possession of those Districts.

Q. Whether there were not Complaints against you?

A. I never heard of any other Complaint than what I stated. I hold in my Hand what I consider to be very honourable Testimony of myself, of the Nabob's Approbation of the Whole of my Conduct.

Q. Whether the Nabob did not decline to accept of your Services?

A. I don't know what he declined, I know he did accept them, and he had them.

Question repeated.

A. Here are the Nabob's Orders, and he was highly satisfied with what I did. Here is Testimony upon Testimony.

The Question was repeated.

A. I don't know what he declined to do, and what I may have heard. I cannot say what he declined to do.

Q. (By a Lord) Did you ever hear of the Nabob's having declined your Service to any Body?

A. Not after I was with the Nabob; I never did.

Q. Did you before?

A. I recollect having given in a Plan to the Governor General and Council, requesting they would recommend it to the Nabob for Adoption: It was to command a Body of Troops in his Country; I shewed it to all the Members of Administration, and Mr. Hastings I remember particularly

particularly said, it appeared to him to be a Plan of great Utility, and promised great Advantages to the Nabob's Government, and upon that Principle he should give his Voice in Council for its being recommended to the Nabob for Adoption; and if the Nabob should think proper to adopt it, then I should be permitted to proceed to the Nabob, and put myself under his Orders.

Q. Your Employment was not an original Suggestion of the Nabob's?

A. No: It was an original Suggestion of my own.

Q. To whom?

A. I cannot say whether I first suggested a Wish to Mr. Hastings, to be employed in the Nabob's Service, or to General Clavering—I believe it was to General Clavering that I suggested it;—he wished I should be employed in the Nabob's Service, and he told me he would certainly recommend I might be appointed to a Command of Cavalry—I think it was to General Clavering; I begged his Interest that I might be employed in the Service of the Nabob; he told me he was disposed that I should command a Regiment of Cavalry in the Service of the Nabob Azonh ul Dowlah; but as One must be raised, and the Nabob's Finances were so very low, he could not move in Council that I should be recommended for such a Command, because the Nabob was then short of One Regiment of what it was originally designed his Army should consist of. A Regiment could not be raised upon Account of his Finances being so low.

Q. Then, General Clavering declined it?

A. No; for till the Moment of his Death he shewed a favourable Disposition to serve me, and when I could not be served in that Way, he said, he had in Contemplation to employ me upon an Embassy to the Court of the Nabob Nudjeef Cawn.

Q. Whether the Nabob has or has not declined your Service?

A. I never heard that the Nabob had any Objection to myself.

Q. Or that he declined it?

A. This Plan that was proposed to him, I recollect from Report, that he had not thought proper to adopt in the first Instance, but did afterwards.

Q. Did he ever decline your Service personally?

A. He never told me so.

Q. Did you ever hear it?

A. No.

Then the House adjourned to the Chamber of Parliament.

Die Martis, 15^o Maij 1792.

THE Lords being in their Places, the House resumed, the usual Proclamations made, and the Defendant appearing at the Bar, the Lord Chancellor informed the Counsel for the Defendant they might proceed with their Evidence.

Then Major Osborne was again called in.

Then the Managers for the Commons desired the last Question and the Answer of Major Osborne might be read.

The Clerk read as follows :

‘ Q. Whether the Nabob has or has not declined your Service ?

‘ A. I never heard that he had an Objection to myself.

‘ Q. Or that he declined it ?’ (a)

Then the following Question was put to the Witness :

Q. (by Managers). Do you mean to persevere in that Answer ?

A. Before I answer any Question, I intreat Permission that I may correct a small, but I hope immaterial, Part of my Evidence, the Day that I attended here last. It has respect to the Escort that I said, and as I verily believed at the Time, had come from Cheit Sing, with the three innocent Men to Allahabad. Since I appeared here last, I naturally have had reference to Papers that I wrote at the Time that my Evidence related to—and from those Papers I am now enabled to recollect perfectly, that I gave Cheit Sing Credit for an Escort which he did not send. It must be in the Recollection of the Court, that I stated, that upon the Arrival of the four Men, Saul and the three innocent Men, at a Place in the Nabob’s Country, immediately upon coming in to it, the Name of the Place then I did not recollect, but now I do ; it is named Phoolpore—Saul there escaped.—The Escort which Cheit Sing had sent to guard four People were two Village Hircarras, or properly Dustucks. There is a Difference between the Village Hircarras, or Dustucks, and the Hircarras that attend Commanding Officers in Camp ; it is not usual for them to carry any Arms, they are Spies. The Dustuck, or Village Hircarra, carries a Matchlock Piece, and other Arms, and his Duty is to guard a Village—to go with Messages from Village to Village—and also to escort Robbers and Plunderers, and those Sort of People—two of these Kind of People Cheit Sing sent to guard four Men. At Phoolpore, the Cutwall, who was an Officer belonging to the Nabob, and had nothing to do with the Escort, hearing that Saul, one of the Principals in the Murder of my People, had escaped, and the Insufficiency of such a Guard, said, “ I will give some People to go to Allahabad with the three Men who are remaining,” believing these three innocent Men of course to have been guilty. When I gave my Evidence, a Letter that I had received from Cheit Sing with these three People, mentioning that he had sent a Parra, which means a Guard or Escort, forcibly struck my Recollection, as the same People who had come in with the white Jammās and Swords, and I gave Cheit Sing Credit for this Escort, which, in fact, belonged to the Cutwall of Phoolpore, who was the Nabob’s Officer. It is disagreeable to be obliged to rectify my Evidence, but I should have thought I had acted very wickedly, when it came to my Knowledge, if I had not.

Q. Whether you have that Letter to which you allude ?

A. I have been enabled to recollect more than what I immediately wrote of the Conduct of the Cutwall of Phoolpore sending in a Guard. I remember all perfectly well—But what has very much assisted my Recollection, is a Letter that I wrote to Mr. Middleton, the Resident at the Court of the Nabob Asoph-ul-Dowlah, and I wrote that Letter for the express Purpose, that he might send the Particulars of what I then complained of to the Board. That very Letter possibly may have been upon the Proceedings. I have here an Extract of my Letter.

Then the Witness produced a Paper indorsed, “ To Middleton, on the Subject of Saul’s Escape. Extract. Phoolpore, where Saul was suffered to make his Escape.” And read from the same as follows :

“ In consequence of a Resolution which the Board came to of directing Cheit Sing to bring to condign Punishment the People who murdered my Soubadar, and mangled the Recruits, the

(a) See the other Questions and Answers at the Conclusion of the last Day, *supra* Page 1678.

Person who actually struck the Soubadar's Head off, was taken by the Raja's Officers about a Fortnight ago; and before I left Allahabad, he was directed to be sent to me, with three others, accused by the Raja of having been concerned in this Murder. It was certainly the Intention that the Principal should make his Escape as soon as they entered the Nabob's Dominions. Only two Hircarras attended the Prisoners."

Then the Witness said:

I recollect it perfectly well, it is fourteen Years ago, and my Memory was refreshed when I read that Part.

Then the Witness continued to read:

"And at Phoolpore, in the Province of Allahabad, by the wilful Neglect, as it appears to me, of the Hircarras, the Murderer did escape. The three poor Creatures, who had accompanied him so far, were afterwards brought to Allahabad, and I designed * that they were discovered * as innocent Victims; they were among those very few who had given an Asylum† to the wounded Merchant. I represented to the Raja the Mistake that he had committed, and the Particulars of Saul's Escape, and desired that he would again secure him. By a Letter that I have just received from him, he seems inclined to lay the Blame on the Cutwall of Phoolpore, but only himself and his People have been culpable. I intreat that you will be so good as to lay these Particulars before the Board, and I shall hope for the Continuance of your Support in obtaining Justice for the horrid Act of Violence committed on my People. The Country about Hondy is entirely laid waste; that Town, and several others in the Jaghier of the Navob Cawn Allum are burnt to Ashes since we left Allahabad."

* Sic in Orig.

† Sic in Orig.

Then the Witness said,

Now I wrote this Letter for the express Purpose of Mr. Middleton's transmitting the Particulars to the Board. I believe the Right Honourable Manager will find, if he has my Letter, that this is a just and true Extraet of it. It was written in the Month of November 1778. I have several other Papers, and have assiled my Recollection from them, here a Scrap and there another.

Q. Have you any Objection to laying that Letter before the Court, the Whole of it?

A. None. I will bring it. The Rest relates to a Serjeant. I then had my Warrant for holding Courts Martial. He had behaved ill. I was under the Necessity of punishing him.

Q. (By a Lord.) You have no Objection to shew the Letter?

A. None. I never practised any hidden Mysteries.

Q. Whether you have any Objection to produce to the Court the Letter which Cheit Sing wrote to you, and to which you allude in that Letter?

A. I have been looking and looking in every Place where I thought to have found it—I have been so unfortunate as to lose all Cheit Sing's Letters but one, and that alludes to a Complaint that I made against one of his Jemmadars—I cannot find them—I wish I could.

Q. Whether in that Letter Cheit Sing did not lay the Fault of the Escape of Saul upon the Nabob's Cutwall?

A. The Cutwall of Phoolpore had nothing to do with the Safety of these Men.

Q. Whether Cheit Sing did not impute the Blame to the Cutwall?

A. He did. I always found Cheit Sing a shuffling Character; if I had been there, very likely he would have imputed his Escape to me.

Q. What Reason have you to know that Saul, who made his Escape, was more guilty than the other Three, except that he made his Escape?

A. From the Evidence that was taken on Oath before the Court of Enquiry; but I beg Leave to refer to the Depositions that were taken on Oath before the Court of Enquiry, or to the Proceedings; for I have learned that they stand upon Record, and very likely are in the Possession of the Right Honourable Manager, which will explain the Matter fully to the Court. I am speaking upon a Recollection of Fourteen Years past; but what stands there is true, and whatever I wrote at the Time was true; I never in my Life attempted to impose upon any Man or Body of Men whatever.

Q. Whether the Matter of the Deposition charging Saul specifically had been in your Hands previous to the Court of Enquiry, or Saul's being sent to you?

A. I must have influenced the Court, if I had: I would not have done it for the World.—I ordered a Court of Enquiry for the express Purpose of enquiring into every Particular, and to be satisfied about the Conduct of the Jemmadar; they were taken upon Oath. There were two Zemindars, Saul and Renna, two, not one, and one of these Men beheaded, I do not know how many Men—From what I then learned, whether it appears in the Depositions that were taken before the Court of Enquiry, or whether I had it from other Evidence, and People that I examined, I don't recollect; but Saul appeared to have been the very Man who struck off the Head of

- of the Soubadar; but I believe the Right Hon. Manager has the Depositions,—I believe they are in Court. I have heard since that they were in Court the other Day, and I beg leave to refer to them.

Then the Managers for the Commons desired the last Question might be read.

- The same was accordingly read by the Clerk as follows:

• Q. Whether the Matter of the Deposition charging Saul specifically had been in your Hands previous to the Court of Enquiry, or to Saul's being lent to you?

Then the Witness said:

I had taken no Depositions previously—I had heard, no doubt, from the Report of my People, that Saul was the Man that had done so and-so, and cut off the Head of the Soubadar; and that Renna was the other Man; and I remember the Villagers now perfectly well; but why should I tell this, when the Right Honourable Manager has the Book about which he is interrogating me? It is not usual, at least it is not with us in India, to take Depositions before a Court of Enquiry on Oath, or before General Courts Martial; but this was so particular a Matter, I wished to supply the Nabob with the Evidence against these People, and to satisfy Cheit Sing that these People had been guilty.

Q. And therefore you directed the Court of Enquiry to take the Depositions upon Oath?

A. I did.—The Court was a very regular Court; it made it more solemn.

Q. Whether, besides the Report of the People, you had any specific Deposition on Oath, or Information of any Kind against Saul?

A. The Report of my People and the Country was, that Saul had committed this Murder; and in Proof of it, they brought me this Man's Head.—I could not have had a more convincing Proof.

Q. Whether, when you had the Knowledge of what passed with you for sufficient Information that Saul was the Person who had committed the Murder, you desired Saul specifically to be delivered up to you by Cheit Sing?

A. I did, Saul and Renna. They were the two Men mentioned particularly by me. I answered the Question on a former Day.

Q. Whether you have the Letter, or a Copy of the Letter, which you wrote to Cheit Sing, making this Requisition for this Man specifically?

A. I have said already, that I can find only one Letter from Raja Cheit Sing. That Letter I have now in my Pocket, but it is not upon this Subject.

Q. (By a Lord.) The Question now put to you is, Whether you have any Copy of the Letter which you wrote to Cheit Sing, to demand Renna and Saul?

A. I really cannot say that I have. It is very likely that I have; and it is likely that I have not. I cannot say that I have; and I am sure I should not know where to look for it. I have a great many Persian Papers that would engage the Attention of the Court a very considerable Time indeed to hear read.

- Then the Managers for the Commons desired the Question and Answer first read by the Clerk this Day might be again read. The same were accordingly read by the Clerk, as follows:

• Q. Whether the Nabob has or has not declined your Service?

• A. I never heard that he had an Objection to myself.

• Q. Or that he declined it (a)?

Then the first Question put to the Witness this Day was read by the Clerk, as follows:

• Q. Do you mean to persevere in that Answer?

A. Most undoubtedly. The Nabob never objected, to my Knowledge, to myself: And it would be an extraordinary Circumstance if he had; for I brought a Letter to Mr. Hastings from the Nabob but a few Months before, wherein he expresses an Intention of asking the Permission of Government, that I might engage in his Service at a future Time.

- Q. (By a Lord.) A few Months before what Time?

A. A few Months before the Time alluded to, I believe, by the Right Honourable Manager of the Report, that the Nabob had refused a Plan that I suggested.

- Q. Can you recollect the Time that you are now speaking of?

A. It must have been in the Year 1778.

Q. What Time in the Year 1778 was it that you went to the Nabob?

(a) Vide Note (a) supra, Page 1679.

A. I received a Letter from the Secretary of the Board, Mr. Auriol, informing me, that the Nabob had thought proper to accede to my Plan, and that I was permitted to proceed to him on the 1st of June; I think it was 1778.

Q. Was that the Time you did in fact proceed to him?

A. Yes, I set off a Day or two after.

Q. (*By Managers.*) Whether you have heard at any Time either before or after the 1st of June 1778, a Report of the Nabob's declining your Service?

A. No; only that he had excused or given Reasons why he could not adopt a Plan that I had proposed; and then only, that he could not adopt it for a certain Time.

Q. Do you recollect what that Plan was?

A. I can tell in general Terms, that it was a Plan for the Protection and Defence of the Dewaub; but the Plan must be in the Possession of the Honourable Managers. It is a Plan that will speak for itself, and, I believe, do me no Discredit. I wish it was read.

Q. Whether it was not a Part of that Plan, that you was to be employed in executing it?

A. I was to be employed in executing the Whole of it.

Q. Whether your Share in executing the Plan was a Part of the Plan itself—do you remember that?

A. Yes; at the Time I was in hopes of having the Command of the Forces:—Undoubtedly it was; I was not making a Plan for another Man.

Q. The Question is, Whether it was a stated Part of the Plan? Whether the Plan was conceived, in short, with your Name to it, as the Person to execute it?

A. Yes; undoubtedly I meant it for that Purpose: But the Plan is in the Possession of the Right Honourable Manager; it is a great many Years ago; I could not tell every Thing in that Plan, nor about the Plan: I may have changed my Opinion about it. I gave in a Plan, which I thought promised great Advantages at that Time; and I believe the Governor General and Council thought so, for they were, I believe, unanimous in its Recommendation.

Q. Whether you did not reiterate your Solicitation to Mr. Hastings, to remove the Nabob's Objections to you, and to receive you into his Service?

A. I dare say I did. I was always assiduous in what I thought to be for the Service of the Public; and therein I meant to do Honour and Reputation to myself. I recollect writing a Letter to the Board after that, and making Use of fresh Arguments.

Q. Whether the Plan first given in by you to the Board was the only Plan given in by you?

A. I wrote a Letter accompanying that Plan, I recollect, but what was the Date of it I really do not know.—I do not know whether I might not propose something further or something less.—I really cannot, nor will I upon my Oath venture to declare what I did at that Time. The Plan the Right Honourable Manager has got; and he must have this other Letter, with the Amendment, or whatever it was.

Q. Do you remember having formed any Plan for the Nabob's Service, except that one you now refer to, together with the Letter that accompanied it?

A. No; I do not, any that ever I gave in to the Board. I formed a Plan before with the Approbation of General Clavering, but that never was given in.

Q. Whether you have any Copy of the Letter accompanying the Plan?

A. I have not got the Copy in my Pocket, because I know it is a very long Letter; but I make no Doubt I have got the Copy, and will bring it if I have got it.

Q. Whether you were, or were not, employed in the Collection of the Nabob's Revenues in the Country of the Dewaub?

A. No.

Q. In no Part of the Collections?

A. If the Right Honourable Manager will specify where he means?

Q. In the Country of the Dewaub?

A. No.

Q. In any Part of the Nabob's Country?

A. Yes, I was.

Q. Whether the Nabob did, or did not, remove you from that Collection and Command?

A. No; the Nabob did not remove me from that Collection and Command, but at the Suggestion of the Governor General and Council, and for this—the Pay to my Corps and Troops was six Months in arrear; I could not get my Pay from the Nabob; I addressed the Governor General and Council, requesting their Intercession to obtain my six Months Pay in arrears; they wrote to the Nabob, as the Nabob informed me himself—he sent me, I think, the Letter—"As your Treasury is so low that you cannot pay your Troops," or to that Effect,

- “ if you can do without his Services, why, you had better pay them and reduce the Corps; you cannot pay them properly and support them.” I had no Objection to it. I thought it was high Time to quit, as I could not be paid—but the Nabob never dismissed me. I believe I might have staid with him till this Time. I have in my Pocket, if I may be allowed to produce them, Testimony upon Testimony of the Nabob's great Regard for me; and the last Moment that I was with him, he gave me a Letter expressive of his Sense of my Services and Conduct to the Governor General and Council, when I took Leave of him at the last Moment; and I remember one Part particularly he says, or to this Effect, “ My Regard for the Major is equal to that which you have expressed for him.” And they certainly recommended me in a very proper Manner when they recommended me to his Service.

Q. Whether you have ever heard that the Nabob had made to Mr. Hastings a Complaint against you of Oppression upon his Subjects?

A. I never did hear it; and if I had heard it, I should have known it to have been false; for I did not oppress his Subjects.

Q. Did you not hear that the Nabob had charged you with committing Depredations and Rapines within Ismael Beg's Jurisdiction?

A. No.

Q. You never heard it?

A. No. I will beg Leave to explain this whole Matter.—Here is an Extract of a Letter that was delivered to me by Mr. Purling, that he received from Mr. Middleton the Resident at the Court of the Nabob, who was his Predecessor in Office at that Court. By this it appears very clear, that the particular Services required of me by the Nabob, and which he employed me upon, and for which I have his Orders, and Orders which I never did think derogatory to the Honour of a Sovereign Prince to give, or incompatible with my own Character as a Soldier and an Englishman to have executed.—The Orders that I received, appear by Mr. Middleton's Letter to his Successor, Mr. Purling, to have been transmitted to the Governor General and Council; therefore the Right Honourable Manager, as I suppose, is in possession of them; but I will read the Extract of the Letter from Mr. Middleton to Mr. Purling.

Then the Witness produced a Paper, indorsed, “ Extract of a Letter from Mr. Middleton to Mr. Purling, on his delivering over Charge of his Office—explaining the Services that I had been employed upon, and having Reference to a Letter written by him to me, which should have been dated the 20th of February 1779;” and read as follows:

“ Extract of a Letter from Mr. Middleton to Mr. Purling.

“ Mr. Purling,

“ Major Osborne has for some Time past been employed on a Service of Importance to the Vizier's Government across the Jumna. The Design of his Expedition you will clearly understand from my Letters to him under Date the 20th February 1779, and to the Honourable Board of the 5th of March following.”

Then the Witness said:

That Year I was employed in two Districts belonging to Allahabad, and which had been in the immediate Renting of Ismael Beg, the Person alluded to; and that I had the Nabob's Orders for acting in those Districts; and for every Thing that I did I have the Nabob's own Orders here to produce, and his Approbation of the Whole of my Conduct.

Then the Witness proceeded to read from the Paper as follows:

- “ He has made some considerable Progress in the Recovery of the Nabob's Dominion in that Neighbourhood, and was prosecuting the Service with great Vigour and most promising Appearances of Success, when his Operations were stopped by Letters from the Honourable the Governor General.—I have Reason to suppose the Governor's prohibitory Mediation was obtained by some Misrepresentations from Raja Ajeet Sing, who has been uniform in his Opposition to Major Osborne's Proceedings, and by unprovoked Acts of Hostility compelled the Major to consider and treat him as an open Enemy to the Vizier's Government.—Major Osborne has submitted to the Governor General a full, and, I believe, an impartial Narrative of his whole Proceedings from the Commencement of his Campaign, which, I apprehend, will be satisfactory, and induce the Governor to withdraw the Restriction he before imposed.—That being done, the Nabob will, I doubt not, readily yield his Assent to Major Osborne's prosecuting the Service against Ajeet Sing, as he seems well apprised of the Advantages which may accrue to his Government from it, and was induced to stop it by no other Motive than a due Deference to the Governor's Desires.—I am myself of opinion, that the Expedition may be productive of considerable Advantages to the Nabob, if Major Osborne is properly supported in his Measures.”

Then

Then the Witness said:

Here I was stopped, and when I could do no other Service, I did not want to remain there a Pensioner upon the Nabob; but when I was stopped, then there was no Pay: So I went on for Six Months, no Pay: And I represented this Circumstance to the Governor General and Council; and as a Reward for my Services, the Governor General was pleased to recommend, with his Council, I suppose, to the Nabob, "Well, if your Treasury is so low that you cannot pay, you had better reduce your Corps:" But I was not reduced.—Immediately after this, Overtures were made to me by the Minister, provided I would scramble for my Pay.—"No; I can serve you no longer with Honour and Reputation, and I will quit you;" and I did it; and it will be seen upon the Proceedings what the Nabob said.

Q. Then you did know that such a Charge was made against you of Misconduct in your Office or Command?

A. Not by the Nabob.—The Right Honourable Gentleman may be charged by the Mob or People of Misconduct; but I should not believe it upon hearing them say it; and I hope the Right Honourable Gentleman has Charity enough not to believe such a Thing of me.

Q. Did not that Letter give an Account that Mr. Hastings had received some Charge against you?

A. Mr. Hastings never did, directly or indirectly, communicate to me any Charge whatever that he had received against me, unless in the Case that I mentioned the other Day of Ajeet Sing; the Man called out that I had defeated his Army and taken all his Forts; and Mr. Hastings writes a Letter to me upon this; and he writes to the Nabob; and I answered it. I wrote to Mr. Hastings, that I had nothing to say about the Business, it was my Duty to perform the Orders of my Sovereign, the Nabob; and I sent Mr. Hastings the Nabob's Orders for what I had done, and left Mr. Hastings and the Nabob to settle that Business; it was nothing to me.—Here is what the Nabob says of the Country alluded to.

Then the Witness produced several Papers, and read as follows:

"The Arzee Dispatches received a Perusal, and the Circumstances of the Battle, Fight, and Defeat of Ajeet Sing, with the Victory and Conquest of that high in Esteem, also his receiving a Wound in his Side, because particularly known. With the Bravery, Courage, Valour, and Conduct of that high in Esteem, I was highly pleased and delighted. Thousands and thousands of Praises!"

Then the Witness said:

I have read a enough to shew he approved of me—all are to the same Effect; and he sent me his own Physician, when those about his Court were extremely ill.—He approved of my Conduct to the last Moment.

Q. Whether or not you did not understand that Mr. Hastings had received Complaints against you?

A. I did not, except in the Case I have mentioned of Ajeet Sing; and I have told what the Complaint was.—How infamous must I appear in the Eyes of this Gentleman if I should tell the Court so, when he must know otherwise.

Q. Whether you had any Conversation with Mr. Hastings, in any Interview, as to the Nabob's Complaints against you?

A. I wish the Question to be confined to some particular Point of Time, or some particular Conduct, for I am at a Loss, as I was at a former Day, to rightly get at the Meaning; but I will answer the Question.—No, he did not, and we had very little Conversation about Ajeet Sing. I thought he had been convinced that though my Corps was reduced, it was for Want of Pay, and that he had been acquainted with what had been the Conduct of Ajeet Sing.—I do not recollect any Thing other than that our Corps must have behaved remarkably well in that Business.

Q. At no Period of Time?

A. I have said repeatedly, that I never did hear from Mr. Hastings, or from the Board at large, directly or indirectly, that any Complaint whatever had been preferred against me, but in the Case of the Raja Ajeet Sing.—What more can I say? as the Nabob says in his Conclusion to all his Letters to me.

Q. Had you any Conversation with Mr. Middleton upon any Subject of Charge made against you by the Nabob?

A. Mr. Middleton, or Mr. Purling, or General Coote, or some of them—I believe Mr. Middleton was one.—This Ismael Beg (who was the most artful, deligning, intriguing Character that I ever met with on the Plains of Hindostan, and I believe a great many Gentlemen besides myself knew him to be the Character I have described him) got to the Nabob's Ear when I was doing his Duty abroad at a Distance, and recovering his Country, and he, as I understood, stated to the Nabob that I was in Possession of a certain Part to which I had no Claim; so he spoke to Mr. Middleton—if it was Mr. Middleton—for really I forget which of the three Gentlemen it was—but I remember this, I referred him to the Minister; and I told whichever of these

these Gentlemen it was, " Why, if Ismael Beg has received any Injury, it is the Nabob himself and his Ministers who must have injured him, and not me.—The Nabob says, that I possess so and so—if he does, he must make a Mistake.—Here is the Nabob's Engagement with me for that particular Part which it is complained that I am now in possession of: But what is still further and more direct, here is the Nabob's Receipt that I paid him his Demand on Account of this Place that was complained of." I referred to the Minister—he laughed at it, I recollect, and I did the same, for there was my Engagement with the Nabob. I do not know that the Nabob ever did make the Complaint.

Then the Managers for the Commons desired the last Question might be read. The same was accordingly read by the Clerk as follows:

Q. " Had you any Conversation with Mr. Middleton upon any Subject of Charge made against you by the Nabob?" Answer that in the Negative or in the Affirmative?

A. I have mentioned the Instance before—there was a Place called Colonelgunge, which I was in the Possession of for the Maintenance of my Troops, when I was employed upon Service, the only Place from whence I could get a Supply of Provisions for my Troops; this I had, and paid the Rent of it; and I remember somebody was saying something to me, that the Nabob wished, if it was not in my Cabooliat, in my Claim, that I would give it up. I said, I have paid for it, here is his Receipt for it. The Nabob knew nothing about this Matter; he had his Ministers and the Servants of the State to do such Kind of Duty. The Nabob knew no more about these Things than the King of England knows about Matters of a trifling insignificant Nature.

Q. Give an Answer in the Affirmative or in the Negative?

A. I have answered the Question as well as I can; if the Right Honourable Manager has any Thing of the Kind with him, he will find it just as I have said, something about a paltry Gunge which I had a Right to, and paid for.

Q. (*By a Lord.*) Had you any other Conversation with Mr. Middleton upon any other Subject of Complaint?

A. No. I believe the Nabob laughed, and said, What, does Ajeet Sing complain of your beating him, or flogging him?

Q. Flogging and beating him?

A. No.—If you mean flogging and beating a Man who had a reputed Army of 30,000 Men at his Beck, I did flog and beat him with my Corps.

Q. Whether or no you have heard that the Nabob ever made a Complaint of you to Mr. Middleton?

A. I have answered the Question repeatedly over and over, that I do not recollect ever hearing that the Nabob preferred any Complaint against me but in the Instance of this Ismael Beg.

Q. What is Colonelgunge?

A. It was a Market established immediately for supplying the Troops with Provisions, and it was the only Market I could supply my Troops from, and here is the Nabob's Receipt for it.

Q. Did you farm that Market from the Nabob?

A. Yes, I did—it was for the Convenience of my Corps merely; they charged me so much for it. I forget exactly what it was that they charged me for it; and I paid it for the Convenience of my Corps, and the Customs were collected at it.

Q. Whether you have ever heard that the Nabob made any Complaint of the Abuses of these Colonelgunges?

A. There was only one Gunge.

Q. Have you, as you resided in the Nabob's Dominions, heard Complaints made by the Nabob of these Colonelgunges?

A. I know nothing of any Complaints about them but what I have just described; this Man wanted to possess this Place which I had a Claim to, and if it is doubted, I have convincing Proof of it—for every Thing that I did, every Engagement with the Nabob, I have the Nabob's Engagement with me. I have got a Receipt for all his Claims, and I have his Approbation for all my Conduct; therefore I cannot have any Objection to have my Conduct scrutinized into.

Q. Do you know or remember hearing of the Nabob having made such Complaints against you?

A. No further than I have informed the Court.

Q. Have you ever heard that a Complaint was made by the Nabob in this Manner, or to this Effect:—" The Gentlemen have established Gunges for their own Advantage called Colonelgunge, at Daranghur, Futtighur, &c.—the Collections of the Customs from all Quarters they have stopped, and collect them at their own Gunges—each Gunge is rented out at 30,000 or 40,000 Rupees, and the Collections paid to the Gentlemen. They have established Gunges where there never were any, and where there were, those they have abolished. 30,000 or 40,000 Rupees is

*Sic in Orig. the Sum they are rented at. The Collections to the Amount of a Lack of Rupees are stopped * : Major Briscoe, who was at Daranghur, has established a Gunge, which is rented out for 45,000 Rupees, and has stopped the Ghauts round about the Bupparies, and Merchants coming from Cashmell, from Schanabad, and bringing Shawls, and other Goods and Spices, &c. from all Quarters, he orders to his Gunge, and collects the Duties from the Aumils, gives them a Chit and a Guard, who conducts them about 500 Cofs; the former Duties are not collected from this Conduct at Caunpore, Futtighur, Furrucabad, &c.; the Duties from the Zilla of Gora and Ihtawa are destroyed, and occasions a Loss of three Lacks of Rupees, and the Losses that are sustained in Furrucabad may be ascertained by the Nabob Mozuffer Jung, to whom Complaints

†Sic in Orig. are every Day made, exclusive of the Aumils and Collectors †, lodge Complaints. Whatever I do, I desire no Benefit from it—I am remediless and silent from what happens to me—I know that worse will happen in other Places—the second Word I know is from their Mouth, only this is the Case:—In this Country formerly, and even now, whatever is to be received or paid among the Zemindars, Ryots, and Inhabitants of the Cities, and poor People, neither those who can pay or those who cannot, ever make any Excuse to the Shrooffs, but when they could pay they did. In old Debts of Fifty Years, whoever complained to the Gentlemen, they agree that they shall pay One-fourth, and send Dustucks and Sepoys to all the Aumils, the Chowdries, and Canoonges, and Inhabitants of all the Towns, they send for every body to do them Justice, confine them, and say, they will settle the Business. So many and numerous are these Calamities, that I know not how much Room it will take up to mention them. Mr. Briscoe is at Daranghur, and the Complaints of the Aumils arrive daily. I am silent now Mr. Middleton is coming here; let the Nabob appoint him for the settling † all those Affairs, that whatever he shall order" (This is written from the Nabob of Oude, and by the Nabob here he means Mr. Hastings) "those Gentlemen they will do. From this every Thing will be settled, and the Particulars of this Quarter will be made known to the Nabob. I have written this, which you will deliver to the Governor, that every Thing may be settled; and when he has understood it, whatever is his Inclination, he will favour me with it; the Nabob is Master in this Country, and is my Friend, there is no Distinction (a)." Did you ever hear of any of these Complaints?

A. No, never; I know nothing but about Colonelgunge; and here is his Receipt for it.

The Counsel for the Defendant desired to know what was the Date of the Consultation on which the above Letter was entered; and the Managers informing the House that it was the 15th February 1781, the Witness said:

I was here then.

Q. Whether you heard, while you was in that Country, of any Complaints about these Gunges?

A. I know of none but one which has been mentioned, and that while I held a Command in the Nabob's Service, I was in Possession of for the express Purpose I have mentioned. I continued the Man in it that had it before; he paid me the Rent, and I paid the Nabob the Rent; and here is his Receipt for it.

Q. Whether you heard any Complaints about that Gunge that you was in Possession of? Whether you heard any Complaints of any Gunges in your Time?—of Furrucabad Gunge?

A. I cannot say; very likely I may have heard about Gunges.—I don't know what the Distance is from Furrucabad to Allahabad; it may be some Hundreds of Miles; I don't know what was going on at Furrucabad Gunge; I don't know that I ever saw it; I did not know before the Names of any of these Gunges till I heard them mentioned, except Colonelgunge. This was a Gunge made many Years ago for the Convenience of the Army.

Q. Where was it?

A. At Allahabad. I only know one Colonelgunge.

Q. They are all Colonelgunges?

A. I certainly don't believe they are all Colonelgunges; I only know one Colonelgunge; I don't know another Gunge called Colonelgunge.

Q. Whether you have ever heard that "all the Officers stationed with the Brigade at Caunpore, Futtighur, Daranghur, and Furrucabad, and other Places, wrote Perwannahs, and gave positive Orders to the Aumils of all those Places respecting the Grain, and from which Conduct the whole Country will become depopulated:" Whether you have ever heard a Complaint to that Effect?

A. I do not know—none of these Perwannahs were brought into the Country that I had the Charge of.

Q. Whether you have heard any such Complaints as have been read?

A. Really I do not understand the Question.

(a) N. B. This Letter is entered on a Secret Consultation of the 15th February 1781, Book 567, P. 418 to 423, and is "written the 12th Zekaida."

Q. The Charge is in a Letter from the Nabob Asoph ul Dowlah to the Board, which was received the 1st of February 1781, and it refers to the past Conduct of Officers in the Nabob of Oude's Territories, or on the Borders of it; and the Complaint is this—"All the Officers stationed with the Brigade at Cawnpore, Futrighur, Daranghur, and Furrucabad, and other Places, wrote Perwannahs, and gave positive Orders to the Aumils of all those Places respecting the Grain, and from which Conduct the whole Country became depopulated."—Have you ever heard a Complaint to that Effect?

A. I was in England, or on my Way to England, at the Time alluded to; I never heard any Thing of it; it is not unlikely but that a Commanding Officer might send out a Perwannah, if he could not get Grain without sending after it; I would have done it.

Q. Did you or not ever hear of it?

A. I don't recollect,—not in the Nabob's Country; I think it is very possible they have done it.

Q. Can you remember whether you heard any thing of that Kind?

A. No; I did not. I was employed in a particular District, and no such Perwannahs came into the District committed to my Charge; and I cannot speak to any Thing else.

Q. (By Counsel.) When did you leave Calcutta?

A. In December 1780.

Then the Managers for the Commons read the following Extract of a Letter from the Nabob Vizier to Mr. Middleton, entered upon a Consultation of the 4th of June 1781.

"I have received your Letter, requesting Leave for a Battalion to be raised by Captain Clark, on the same Footing as Major Osborne's was, agreeable to the Requests and Complaints of Ishmael Beg, the Aumil of Illahabad, &c. and in Compliance with the Directions of the Council. You are well acquainted with the Particulars and Negotiation of Ishmael Beg, and the Nature of Mr. Osborne's Battalions. At the Beginning of the Year 1186 (1779) the Affairs of Illahabad were given on a Lease of Three Years to Ishmael Beg, together with the Purgunnahs Arreel and Parra; and I gave Orders for Troops to be stationed and raised conformable to his Request. Ishmael Beg accordingly collected 1200 Peons, which were not allowed to the Aumil of that Place in the Year 1185—the Reason why I gave Permission for the additional Expence of 1200 Peons, and that he might be enabled to manage the Country with Ease, and pay the Money to Government regularly. I besides sent Mr. Osborne there, to command in the Mahals belonging to Illahabad, which were in the Possession of Rajah Ajeit Sing; and he accordingly took Charge.

"Afterwards, in Obedience to the Orders of the Governor General Mr. Hastings, Jelladut Jung he was recalled, and the Mahals placed, as before, under Rajah Ajeit Sing.—I never sent Mr. Osborne to settle the Concerns of Illahabad, for there was no Occasion for him; but Mr. Osborne of himself committed Depredations and Rapines within Ishmael Beg's Jurisdiction. Last Year the Battalion, which by the Permission of General Sir Eyre Coote was sent, received Orders to secure and defend Ishmael Beg against the Encroachments of Mr. Osborne; for the Complaints of Ishmael Beg against the Violences of Mr. Osborne had reached the General and Mr. Purling, and the Governor and Gentlemen of Council, at my Request, recalled Mr. Osborne. This Year, as before, the Collections of Arreel and Parra remain under Ishmael Beg.—In those Places, some of the Talookdars and Zemindars, who had been oppressed and ill-treated by Mr. Osborne, had conceived Ideas of Rebellion."

Then the Witness was asked,

Q. Whether or no you ever heard from Mr. Hastings of these Charges?

A. I did not: And as for the Destructions, I should suppose that Part of the Letter, if the Right Honourable Manager has it right, must have been obtained surreptitiously from Lucknow; for here is the Nabob's Grant to me of that Part of the Country that is here mentioned, where I had no Interference with Ishmael Beg;—and here is a Receipt for the Revenue;—and here is a Translation of it.

Q. Did you ever hear any Thing from Mr. Hastings about that Letter?

A. No, never; never heard any Thing of it from Mr. Hastings. That Letter seems written a Twelvemonth after I left India, or a long Time after.

Q. Then Mr. Hastings never communicated that Complaint to you?

A. Never; he did not; I never heard any Thing of it from him.—Here is the Sunnud I had from the Nabob (and a very extensive one it is), for the Parts of every particular Country alluded to in that Letter;—and here is the Nabob's Receipt in full for the Revenues of it when I left him.

Question repeated.

A. This Letter seems to have been dated in 1781. Mr. Hastings could not have communicated it to me; it was a long Whisper from India to England. I was here, or on my Way here;

here;—if I had been there, I was not in the Confidence of Mr. Hastings; he was a Man in too superior a Station for me to be in the Confidence of.

Q. This states that the Complaints were the Cause of the Recal. Whether at any Time Mr. Hastings ever informed you of the Existence of these Complaints against you?

A. I know it does stand upon Record how I came to leave the Nabob's Service; that he could not pay me; it was to this Purport I know; That the Nabob's Finances being so very low, we recommend to him, if he could possibly do without the Service of Major Osborne's Corps, that he had better reduce them; and I thought so; and as soon as I got the Money, I paid my Troops; I gave them Half a Year's Pay out of my own Pocket, and took my Leave of them; and a very affecting Thing it was. But I might have staid with the Nabob, I believe, till this Day, if I would have scrambled for my Pay.

Q. Did you say, that you imagine the Managers had come surreptitiously by this Paper?

A. No; I said very far from it.

Q. That it was surreptitiously obtained from the Board?

A. No, from Lucknow; and I think most likely from a Mussulman.

Q. Have you ever commanded, or proposed to raise a Corps of Horse in the Nabob's Service?

A. I proposed a good many Things; some I succeeded in, some I did not; but I do not recollect ever proposing any independent of my Corps; there were five hundred Horse attached to my Corps; my Proposal was, to raise a thousand Infantry Rank and File, and Artillery. The Nabob thought proper, of his own Accord, to augment my Corps to 1500. The Nabob gave me the Commission. I never wrote to Mr. Hastings about it; I took the Commission.

Q. Whether you had, at any Time, a Knowledge of the Horse Service in that Country?

A. I had Horse act against me, and I gave a pretty good Account of them, I hope. General Clavering did tell me, that he would propose to the Board that I should have the Command of a Regiment of Cavalry in the Nabob's Service; but I never came forward with any Plan, or any Thing, of that Kind.—That I believe I related the other Day.

Q. Whether you can form any Judgment of the justly estimated Expence of a Corps of Cavalry, for each Man and Horse, in that Country?

A. I do not think that I can; for as I had not a Regiment of Horse, I know nothing about the Expence of it. The Horse attached to my Corps were Country Horse, Marattas, Mussulmen, Moguls, and the Nabob's Horse, that were attached. I had no regular Body of Horse attached to my Corps, for which I drew any regular Pay; and I know nothing about the Expence of a Regiment of Cavalry.

Q. Where was you when Mr. Hastings went up to Benares, in his first Journey in 1780?

A. On my Way here.—Very likely I was here.

Q. When Mr. Hastings went to Benares?

A. I do not know when he went; if I were told the Time, I could say where I was.—I believe I was in my Way to England.

Q. (*By Counsel in Reply.*) Whether the Representation contained in the Nabob's Letter to Mr. Middleton, which was last read, imputing to you the Commission of several Acts of Violence and Rapine, is true? and whether such Acts of Violence and Rapine were committed by you?

A. No, they are false.

The Counsel for the Defendant desired that an Answer given by the Witness to a Question put to him on a former Day might be read. The Minutes not being at Hand, the Counsel for the Defendant stated the Question and Answer to have been as follows:

“ Q. Whether you summoned Saul and Renna to the Court of Enquiry?”

“ A. Yes.”

And desired the Witness might be asked, Whether he gave that Answer? The Witness said,

I certainly did not mean to give such an Answer (a).

Q. Did you, or not, summon those Persons, Saul and Renna, to the Court of Enquiry?

A. No; that Court of Enquiry was ordered to establish the Conduct of my Jemadar, and to establish the Charge, that those Persons had committed the Crime with which they were charged.

The Managers for the Commons objected, that a Witness could not be permitted to change Yes into No, a Day after.

The Witness said:

(a) Vide *supra*, P. 1676.

It was not my Intention, or my Meaning. I stand before the Court upon my Oath, and every Thing that can be expected from a Man in such a Situation, and who is sensible of what is the Nature of an Oath, is to be expected from me. The Truth is to be expected from me, and every Thing of a contrary Tendency is far from me.

Q. (By a Lord.) Did you, or did you not, see any Act of Ill-will from Mr. Hastings towards Cheit Sing during the Time you were in India?

A. No; I did not.

Q. Did you, or did you not, see any Act of a contrary Tendency—Good-will?

A. I always thought Mr. Hastings really to be partial to Cheit Sing. I thought him partial to the Country People in general, but I always thought him particularly partial to Cheit Sing. I recollect, when I was Resident at Ghauzepore in the Year 1773, when Mr. Hastings was in his Way up the Country, I had had some Servants ill-treated, and Property taken away, by the People in Cheit Sing's Country. I could not obtain suitable Redress from Cheit Sing, and I preferred my Complaint to Mr. Hastings.—Mr. Hastings said, "Adduce Evidence in Support of it; I have not a Doubt of what you represent, but it is necessary for me, to obtain Justice for you, that Evidence should be adduced; and if you do that, I will use my Endeavours that you may have proper Redress." I afterwards waited upon Mr. Hastings when I heard the Hurry of his Business was over at Benares, and I presented him this Evidence; and I had the People who had given it ready to corroborate it. Mr. Hastings said, "Mr. Osborne, I am convinced of the Truth of all you have represented; and indeed I find the People against whom you complain acknowledge the Justice of your Complaint against them; but at the same Time I discover that Rajah Cheit Sing is disposed to favour these People; therefore, though you are right, and they have been wrong, I am reduced to the Necessity of desiring that you will quit your Place of Residence at a certain Time,"—mentioning the Time. I certainly thought that an Act of great Partiality and Favour to Cheit Sing, and hard against myself. I was right, these People were wrong; but Mr. Hastings said, "I cannot support out of the Province a British Subject against the Inclination of the Rajah."

The Witness was directed to withdraw.

The Counsel for the Defendant desired Mr. Markham might be called in.

Accordingly Mr. MARKHAM was called in, and being sworn, was examined as follows:

Q. Was you ever at Benares, and when for the first Time?

A. I went up the latter End of the Year 1778.

Q. How long did you stay there?

A. Till the Beginning of the Year 1780, or the latter End of the Year 1779.

Q. Who was the Resident in the Year 1779?

A. Mr. Graham.

Q. Was you Assistant Resident at that Time?

A. I was Assistant to the Resident at that Time.

Q. Do you remember repeated Applications made to Cheit Sing in the Year 1779, for the Payment of his Subsidy?

A. I do.

Q. Were those Applications successful?

A. The Board were obliged to order a Force from Dinapore to compel Payment of the War Subsidy.

Q. Did he pay the Whole of the Subsidy till after the Arrival of that Force?

A. The whole of the Subsidy was not paid till that Force advanced very near to Ramnagur.

Q. How much was paid after the Arrival of that Force?

A. I do not recollect the Sum.

Q. Did that Force appear to be a necessary Measure to compel Payment?

A. I should suppose it was a necessary Measure.

Q. Did you return to Benares in the Year 1781?

A. I returned to Benares, I think it was the 1st of February 1781.

Q. In what Character?

A. As Resident.

Q. In the Interval between the Year 1780, and before you went up in the Year 1781, had you had Communications with Mr. Hastings upon the Subject of Benares and Cheit Sing?

A. I was private Secretary to Mr. Hastings, and certainly had Communications with him upon that Subject.

Q. Did you receive any Directions from Mr. Hastings respecting your Conduct at Benares, prior to your going up in the Year 1781?

A. Besides the Business of my Office, Mr. Hastings mentioned to me the Manner in which he had always treated the Natives, and wished me to follow his Example in that Particular: Moderation and Mildness were the Things he strove to impress upon my Mind.

Q. Did you receive any Directions to provoke or irritate Cheit Sing to acts that might afford a Pretence for Violence against him?

A. By no Means.

Q. Did Mr. Hastings give Directions to the contrary?

A. He most certainly did. Mr. Hastings desired me to avoid the Conduct of Mr. Graham, which he sometimes thought was harsh towards Cheit Sing.

Q. Did you discover at that, or at any antecedent Period, any Thing in the Conduct, or Words used by Mr. Hastings that indicated Malice against Cheit Sing?

A. I never did.

Q. Upon what Subject was you directed to communicate with Cheit Sing?

A. The Supply of Cavalry was the most material, besides which there were Directions to him respecting the Police of his Country, and of Benares, and to remind him how very ill he had discharged his Promise with Respect to the War Subsidy of the Year 1780.

Q. Did you communicate those Subjects to Cheit Sing?

A. I did.

Q. What Demand, what Requisition did you make respecting the Cavalry?

A. I mentioned to him that it was understood that he had a very large Body of Cavalry in his Service, more than was necessary for the Collection of his Country, and wished him to spare for the Use of the Company as many as he could. I do not recollect that by Mr. Hastings's Orders, or in the Letter which I carried up to Cheit Sing upon the Subject, there was any specific Number mentioned; but in my Conversation with Cheit Sing, to the best of my Recollection, I mentioned at first 1,500 as what he ought to spare to the Company. He said, it was infinitely more than he could spare. I then said, If you will readily, and with Good-will, spare One Thousand, I will do my best Endeavours to confine it to that Number—that I would write to Mr. Hastings he had supplied a Thousand, and I hoped that would be sufficient.

Q. How soon after your Arrival was the Demand confined to One Thousand?

A. I think it was the third Day after my Arrival that I visited Cheit Sing.

Q. You are understood to say you delivered a Letter from Mr. Hastings to Cheit Sing?

A. I did.

Q. Upon your Arrival?

A. I believe the Raja visited me on the Night of my Arrival, and on the Day I returned it, which I think was the third Day, I delivered him the Perwanna, a Letter with respect to the Cavalry, and with respect to the Police of his Country.

Q. Was any Explanation given to the Raja respecting the Time the Cavalry would be wanted?

A. I mentioned very particularly, during the War only.

Q. Did you continue at Benares till Mr. Hastings's Arrival, or till a short Time before his Arrival in the Month of August 1781?

A. As a Mark of Respect to the Governor General I went down, intending to meet him at Patna.

Q. What Time did you leave Benares for that Purpose?

A. I should think it was the 15th or 16th of July, but I am not quite clear as to the very Day; not finding him at Patna, I went on to Boglepore.

Q. Whether in the Interval between your Arrival and your quitting Benares to meet Mr. Hastings, you repeated your Demand of Cavalry upon Cheit Sing?

A. I did continually.

Q. How often might you repeat that Requisition to him?

A. It is impossible for me to say how often; but I don't suppose that three Days ever passed without either personally, or by Letter, endeavouring to make him send that Cavalry; I used every Persuasion in my Power. I mentioned to him, that now there were no Divisions in the Council at Calcutta, that it was impossible he should expect such a Demand made by our Government, should be given up merely upon his Representations, which he must know, as well as myself, were not true, such as Inability to pay.

Q. Did you ever give him Reason to expect any Answer to his Letter desiring to be excused this Demand?

A. I never did give him Hopes of an Answer in Return. I told him it was disrespectful even to expect it. He had received one Perwanna from the Governor General while Mr. Fowke was Resident;

ident; that he had written to the Governor General, and in Answer he had received one from myself, and he was not to expect that the Time of the Governor General and Council was to be taken up in answering his Letters; and that he had had their Orders upon the Subject.

Q. Did you constantly represent to Cheit Sing, that the Requisitions you made were In consequence of the Orders of the Board?

A. I did. I used every Persuasion that even a Friend could have done to make him send those Horfe.

Q. Were any Horfe ever sent?

A. Never.

Q. Did he ever muster a single Horfe?

A. He never did. And before I left Benares, I told him, that the Displeasure of our Government would certainly come upon him. As to his Offer of 500 Horfe, and 500 Burkendassies, the Burkendassies could be of no Service to us, being irregular, they could not be admitted in our Line; and I begged him only to send the 500 Horfe to make a Shew of Obedience, but he never would muster one.

Q. Did he desire to know to what Place the Horfe were to be sent?

A. I do not recollect that he ever asked me the Question; if he had, I think I should; because I did not know myself to what Place they were to be sent, which would have made me apply to Mr. Hastings for Orders thereupon.

Q. (By a Lord.) Which would have made you apply?

A. Yes—His applying to know to what Place they were to be sent, would make me apply to the Governor General to know to what Place they were to be sent.

Q. (By Counsel.) Upon the Offer being made of 500 Horfe, and 500 Burkendassies, did you desire him to get ready those 500 Horfe?

A. I desired him to muster them, and send them to me, to shew that he was inclined to execute the Orders that he had received from the Governor General.

Q. Did he ever do so?

A. He never did; he never even told me that they were ready at another Place.

Q. Have you any Doubt of his Ability to have furnished those Horfe?

A. I am convinced he was able to furnish the Horfe, and without Injury to his own Collections.

Q. What was the Number of his Cavalry?

A. I at that Time thought that he had between 2,500 and 3,000: 2,500 I thought he had, but afterwards it proved that he had many more.

Q. To the Number of 3,000?

A. I believe more than 3,000; that is, I mean after the Disturbances were over, and that we had experienced his Horfe in the Field.

Q. What Number of Cavalry were necessary for his Collections?

A. Very few; and I say very few, because afterwards it was proved that a very small Number, and I believe, after I quitted Benares, none were employed—but Baboo Doorbedjy Sing employed I believe about One Hundred.

Q. You are understood to say, that the Naib Doorbedjy Sing, after the Commotions, was able to carry on the Collections with One Hundred?

A. Yes.

Q. Have you any Doubt then that the same Number would have been sufficient to carry on the Collections in the Time of Cheit Sing?

A. I have not the least Doubt but that an Hundred would have been sufficient.

Q. Do you believe that the true Cause of not furnishing the Cavalry was from any Want of them for his Collections?

A. I do not believe that he wanted the Cavalry for his Collections.

Q. Do you at any Time remember seeing a Number of Horfe when you were conversing with Cheit Sing upon the Subject?

A. I recollect paying Cheit Sing a Visit at a Garden he had two Miles and an Half from Ramnagur, and sitting with him upon a Turret, and seeing a very large Body of Horfe at the Distance of a Mile or a Mile and an Half from us: I turned to him, and said, If you will only furnish the Number of Horfe you have now in your Suite for your Parade, it will be sufficient to answer the Demand made on you by the Company; and I could not get an Answer from him.

Q. Could the State of Affairs upon the Coast at that Period have been unknown to Cheit Sing?

A. I should suppose not, because our Conversations very often went to the Business of the Coast; and whenever we did gain an Advantage there, I considered it as a Duty to inform him of it.

He

He certainly must have known our Distresses upon the Coast; the Defeat of Colonel Baillie's Detachment was rife in the Country every where.

Q. Had you any Reason to believe that the Distresses upon the Coast were the Subject of Conversation on the Part of Cheit Sing, with his Ministers and Persons about him?

A. I have no Doubt heard that they were.

Q. Have you seen a Letter of Mr. Balfour's to Mr. Hastings, stating that Circumstance?

A. Dr. Balfour wrote to me while I was Mr. Hastings's Secretary, the latter End of the Year 1780, saying, there had been a Conversation between the Raja Cheit Sing and Meer Saadut Ally, respecting our Affairs upon the Coast, and I mentioned the Letter to Mr. Hastings afterwards.

Q. Was that prior to the Disturbances?

A. The Receipt of Dr. Balfour's first Letter was at the latter End of the Year 1780. Dr. Balfour, in his subsequent Letter of August, mentions two Letters that he wrote to me;—he might but I can only speak to one.

Q. Was that subsequent to Baillie's Defeat—the first Letter?

A. It was.

Q. Was it communicated to Mr. Hastings at that Period?

A. I certainly mentioned it to Mr. Hastings.

Q. Had you Intelligence upon the Spot corresponding with that respecting the Conduct of Cheit Sing, and his Advisers at that Period?

A. I certainly heard that there were Conversations between him and his Advisers upon the Subject, and talking of the Possibility of our being driven out of India; but I could not bring it as an Accusation against Cheit Sing, because it was only Hearsay.

Q. Had Cheit Sing at this Period a Vakeel at Calcutta?

A. He had.

Q. Was it customary with the Vakeel to transmit regular Intelligence of what passed at Calcutta?

A. I believe every Thing that passed at Calcutta he immediately wrote to his Master.

Q. Was there any Difficulty then of the Raja being informed of the Wishes of the Board through that Channel of Communication?

A. No: certainly not; for I remember when the Raja asked me why he did not receive an Answer from Mr. Hastings to his Letter respecting the Cavalry, the Persian Interpreter, Mr. Colebrook, wrote me Word, that Mr. Hastings had given the most positive Orders to the Vakeel to inform Cheit Sing to send the Cavalry immediately; that must have been about the Month of May, I think. I was fearful that he had not communicated this to the Raja, he might have been fearful of doing it; I therefore mentioned it to the Raja, and he seemed to assent that the Vakeel had given him such an Order from Mr. Hastings.

Q. Do you believe, from any Thing you observed, that the not furnishing this Cavalry was from any real Difficulty in knowing what the Sentiments of the Board were upon the Subject?

A. He certainly was perfectly acquainted with the Orders of the Board upon this Subject.

Q. Did you make any Complaints to the Raja upon the Subject of his Police?

A. I did; and frequently.

Q. What was the State of the Police in the City of Benares?

A. Criminal Justice there was none; there was a Cutwall and a Cutwally; but if a Robbery or Murder was committed, the Offender immediately escaped into the adjacent Country; and he was there protected by the Aumil, and ultimately by Cheit Sing; for he would not give him up. With respect to Civil Matters the Aumil was hardly allowed to interfere; but they were generally carried over to Ramnagur, where either Buxy Sadanund, or one of the Raja's intimate Friends, determined upon the Cause; and I believe there was generally a certain Proportion taken, I believe a Quarter of the Money awarded.

Q. Taken, by whom?

A. I don't know that it went absolutely to the Raja; but it was a Kind of Perquisite to some one of his Servants.

Q. In point of Fact, what was the State of the Police during your Residence there at any Period of Time that you was at Benares?

A. Both while I was Assistant there, and till the Troubles broke out there, very bad indeed; worse than in any other City I ever was in.

Q. Specify in what Respect it was bad?

A. Murder and Robbery were very frequent; and the Murders I can speak to, because it was the Custom of the Country for the Relations of the Deceased to bring the Body to the Door of the Person from whom they expected Justice, and to claim that Justice at their Hands, and the

Clamour

Clamour was continued till you appeared, and till you promised to do them every Justice in your Power.

Q. Was that the Cafe in Benares?

A. It was: I had had very many Bodies presented to me in that Way at my Door; nor would the People be satisfied till I appeared, and they uncovered the Bodies to shew.

Q. Did you, upon that, take any Steps to procure Redress from the Raja?

A. I have very frequently applied to the Raja upon the Subject. I got Promises from him, but I never could get him to deliver up the Murderer, although, from the Information I had received, I told him in what Village the Murderer was; I once went so far, that I told the People I could not redress them, and told them to carry the Bodies to the Raja. They said, they were not allowed to cross the River. I sent a Servant of my own with the Bodies; he came across, and complained of the Shame I cast upon him by sending the Bodies to him; I told him, that he ought not to be so much ashamed at seeing the Bodies, and having them at his Door, as at suffering such Violence to be committed.

Q. What was the State of the Police in other Parts of the Zemindary?

A. I cannot say the Police in the other Parts of the Zemindary was bad with respect to the People of Cheit Sing's own Country. The People of the Zemindary of Benares resembled very much a Highland Clan; they did not rob one another; I mean a Highland Clan of old Times; but considered the Rest of the World as their Prey; and I understood in Cheit Sing's Country they carried Robbery from Delhi to the Gates of Allahabad; and the Country of Bulwant Sing was the Asylum for these Robbers and Plunderers. I do not say the same of Cheit Sing; but only that the People of Cheit Sing's Country committed Depredations upon others, but not upon one another; there were frequent Complaints from Mr. Green the Resident at Chuprah, and frequent Complaints from Mr. Middleton, of their Depredations in those Countries; but I believe, with respect to the Country itself, and with respect to one another, it was very well.

Q. Had you Reason to believe that any of the Aumils kept Thieves in Pay?

A. It was so said, and I believed it.

Q. Did the Raja derive himself any Profit from it?

A. That also was strongly asserted. I cannot speak to it as to a Fact.

Q. What was that Profit called, received by the Raja?

A. I mentioned it to Mr. Hastings as a Thing that was asserted, and called the Duffore, that is, the customary Allowance.

Q. Do you recollect in particular any Endeavours used to prevent the Apprehension of a Murderer by Means of the Merchants?

A. I do. A Nephew of a Merchant named Busrage had committed a Murder, and was in his Uncle's House: I sent a Party to secure the Avenues of the House, not chusing to force a Place in some Degree held sacred, and sent over to the Raja, desiring that he would make Busrage deliver up the Offender. Busrage went over to the Raja, and, as I was assured, the Raja said to him, Why don't you make the Merchants shut up their Shops, and complain to the Governor General against Mr. Markham?—I would, said Busrage, if the Accusation was a false one.

It being objected that this was Hearsay Evidence, the Counsel for the Defendant acquainted the House, that if there was any Doubt of the Propriety of receiving it, they would waive the Enquiry.

Q. Whether you ever made any Complaints to Cheit Sing of his harbouring fugitive Rebels in his Country?

A. I certainly have; particularly with respect to Fatty Shaw.

Q. Did you receive any Redress upon that Subject?

A. I never did.

Q. Had you any Opportunity of knowing, at the Period I am speaking, the Year 1781, what was the State of the Military Establishment of Cheit Sing, and of his Forts?

A. I never had an Opportunity of knowing what the Situation of his Forts was; for it was a Thing that he kept entirely concealed. I know that he had a large Body of Infantry; how many I did not know; and I at that Time believed he had somewhere about 2,500 Horse.

Q. Do you recollect any Circumstance indicating peculiar Jealousy on the Part of Cheit Sing to prevent the English having a Knowledge of the State of his Forts?

A. I recollect that when Mr. Graham was at Calcutta, and myself left in Charge of the Office at Benares, having Occasion to write a Letter to Cheit Sing on some public Business, and sending it to him by my Chubdar to Lutteespoor, where he was gone upon a Hunting-party, the Chubdar was met by a Guard at the Bottom of the Pass, and told, that he could go no further, for that neither any one of the English, nor the English Dependants, were allowed to come within the Fort; the Chubdar was obliged to return to me with the Letter. Mr. Graham,

upon his Return to Benares, mentioned the Circumstance to the Governor General. I recollect having received a Letter from Captain Rankin, the Officer who was making a Road from Chunargur to Calcutta for the marching of the Troops: He desired Perwannas from myself and Cheit Sing for the Assistance of the Country People to afford him Necessaries. These were granted him, and a Guard also from Cheit Sing. When he got within about Eight or Ten Miles of Beechnagur, where he encamped, he was desired by the Guard to confine himself to his Tent, for that no one was allowed to see the Fort. I remember his laughing at it, in a Letter, and saying, that this Jealousy made him peep through the upper Part of the Wall of the Tent, from which he did see the Fort, and gave me a Description of it, such as he could see at the Distance of ten Miles.

Q. I have you any Doubt of the Ability of Cheit Sing to have paid his Subsidy?
A. I am certain that he was able to pay the Subsidy?

Q. Without Inconvenience?
A. Without distressing himself, certainly.

Q. What do you judge to be the annual Revenue of his Country?
A. I believe the Revenue received by Cheit Sing, at that Time, must have been about Forty-six Lacks, or thereabouts.

Q. Is that the Net or the Gross Revenue?
A. The Gross Revenue was, I believe, about Fifty-three Lacks. The Settlement of the Country afterwards was made, upon a Calculation of mine, at Fifty-three Lacks; the Net Receipt at about Forty-six or Forty-seven Lacks.

Q. Whereabouts do you judge to have been the annual Expence of the Raja's own Establishment?
A. I really cannot, at this Time, recollect what I judged the Establishment to be; but thus far I recollect, I computed that he must have saved every Year about Eleven Lacks.

Q. Did you make any Complaints to Cheit Sing of his having been unpunctual in the Payment of his Kist antecedent to your going up?
A. I certainly did. I had another Letter, a separate Letter, from the Governor General to that Purpose.

Q. Was he punctual afterwards in the Payment of his Kist?
A. He was not punctual; for I recollect the Kist to be paid to Gopaul Dofs, and to be received in Ready Money; and I think, as well as I can recollect, he was about Twenty Days behind-hand, which Gopaul Dofs complained of very much, as he lost Interest upon his Money.—There was another Kist also, how long I cannot recollect, but more than that I believe, upon which Gopaul Dofs complained heavily.

Q. When you speak of this Unpunctuality, do you mean the Period of Time the Bills were given upon Calcutta?
A. The Kists I have been speaking of were not received in Bills, but in Ready Money, to be paid to Gopaul Dofs, who was a Merchant at Benares.

Q. Had the Company the Option to receive it in Ready Money or in Bills?
A. I believe it was at the Company's Option.

Q. When it was a Money Payment, was there any Discount for prompt Payment?
A. None.

Q. It was due on the Day?
A. It was due on the 4th of the Month, and to be discharged on the 5th.

Q. Was it the Course of Payment to discharge one Month under another?
A. Does the Question mean, Whether it was the Course of Payment to discharge on the 4th of March what was due on the 4th of February?

Q. Yes?
A. No; it was to be discharged the Day it was due; and always understood so by Cheit Sing, and by the Resident.

Q. There was no customary Relaxation of that by the Usage of the Country there?
A. There was not.

Q. Was you at Buxar, when the Raja came there and met Mr. Hastings?
A. I accompanied Mr. Hastings from Patna. I was not present at the Interview between Cheit Sing and Mr. Hastings, I believe: I arrived at Buxar a little later than the Rest of the People: I do not recollect being present at the Interview, if that is the Meaning of the Question.

Q. Did you see any armed Men in the Boats that accompanied Cheit Sing?
A. No. Cheit Sing's Boats lay further up the River, more to the Westward: I did not see them, and I did not go up with Mr. Hastings to Benares from Buxar; but left Buxar about
Eleven

Eleven o'Clock at Night, and went Post to Gauzepore, where my Horses were; and I rode on Horse-back to Benares.

Q. Did you observe any military Attendance with Cheit Sing?

A. No, I did not; there was a Body of Men a little out of my Road from Buxar to Gauzepore; and being at the Distance of a Mile, or Two Miles perhaps, and it being dark, and perhaps myself asleep, I did not observe them.

Q. You remember the Circumstance of proceeding with a Guard to the House of Cheit Sing, to put him under Arrest?

A. I do.

Q. Was you directed to treat Cheit Sing with Attention, or otherwise, in the Execution of that Measure?

A. It certainly was the Governor General's Intention that he should be treated with Respect.

Q. Did the securing of his Person at that Period appear to be a necessary Measure?

A. I myself thought it certainly a necessary Measure; for I mentioned to the Governor General the Evening before, that my Opinion was, that if a large Sum of Money was demanded of him before his Person was secured, he most probably would run to his Forts, &c. to his Forts; and that the securing of his Person would prevent any foolish Measure of the Kind. I do not believe that the Seizure of his Person was ever intended as a Thing to degrade him.

Q. Is there any Thing peculiar in the Customs of that Country, which would make an Arrest a peculiar Mark of Infamy to a Person in the Raja's Situation, more than to any other Person?

A. I believe not; unless you were to accompany it with any Rigor which would degrade him from his Cast: And in this Case there certainly was no such Thing done.

Q. Would it in any Respect have incapacitated him from carrying on the Government of the Country (if he had continued in the Government of it), as well afterwards as before?

A. I do not believe that it would have incapacitated him from carrying on the Business of his Country as he did before.

Q. In what Manner were the Orders executed for securing his Person?

A. I went myself, accompanied by Lieutenant Stalker and a Body of Orderlies, the Number I am not certain of. I found the Raja sitting in an open Hall, a small Hall open on one Side. I sat down with him. I told him, the Governor General judged his Answer to the Letter I had before delivered to him to be unsatisfactory; and that, on account of his Contumacy, in not having furnished the Hostle, as required by the Board, and his Misconduct in the Delay of the Payment of the War Subsidy in 1786, the Governor General ordered him to consider himself as under Arrest. The Raja made a Motion with his Hand to a Dagger by his Side. I put my Hand upon his Arm, and desired him to be quiet, and not to oblige me to use more Violence: That when I was the Person who arrested him, he must know that his Life and his Honour were safe. He obeyed quietly. He desired to speak to me in private; and we went into a small Room adjoining, where he made those Representations which I stated to the Governor General,—those Professions that I made to the Governor General in my Letter to him on my Return.

Q. The Letter that is in the Narrative?

A. It is in the Narrative.

Q. Who accompanied you?

A. I waited for Two Companies of Seapoys, which were ordered to follow me, and to obey my Orders. The Officer came up to the Fort, as is customary, with his Sword drawn; upon which the Raja jumped back. I begged him not to be alarmed, and told Mr. Scott to put up his Sword, and introduced him to the Raja. I gave him for Orders, that he was to keep the Person of Cheit Sing secure; that he was to allow any Eight or Ten People, whom the Raja should chuse, to attend him; that he should turn all other People out of the Two Inclosures; but that he was to allow the Raja to have every Indulgence consistent with the Security of his Person. He asked me, Where he thought I ought to place Centinels? I said, I was unacquainted with the Place myself, but would walk about with him; and we agreed upon the places where we thought it necessary Centinels should be put. Upon coming into the little Hall again, I was taking Leave of the Raja, who pressed me to return to him as soon as possible. I called to Mr. Stalker to come away; and the Raja jumped up eagerly, and requested that I would permit Mr. Stalker, and the young Mowlavy (I had Two Mowlavies in my Service), to stay with him, for that he was acquainted with them personally, and while they were present and with him, he felt assured that he should suffer no Insult nor Injury—no Insult. Mr. Stalker said, he would readily stay. I returned to the Governor General to make my Report.

Q. Whether you gave any Directions that the Servants of the Raja should be disarmed?

A. I don't know whether I did mention or not, that they were to turn out all but Eight or Ten Servants, and disarm those that remained.

Q. What was the Name of the Place where all passed which you have described?

A. The

A. The Shewallah Ghaut.

Q. What became of those Two Persons, Lieutenant Stalker and the Mowlavy, who were left with the Raja?

A. They were both slain.

Q. Upon the same Day?

A. Upon the same Day.

Q. In that very Place?

A. In that Place, in the Inner Court.

Q. What Time of the Day was it when you left the Raja and those Two Persons with him?

A. I should imagine it might be about Ten o'Clock in the Morning; for when I went to the Raja I had not breakfasted.

Q. What was the Name of the other Officer who commanded the other Party?

A. Symes, I believe it was;—Lieutenant Scott, Lieutenant Symes, and Lieutenant Stalker.—I did not see Lieutenant Symes there; he was not at Mahadew Dafs's Gardens when the Company marched; whether he rode after them, and did join them, I cannot tell.

Q. In what Part were the Two Companies placed in this Inclosure?

A. I must describe the Place, and I am afraid I shall be tedious in it.—It was upon the Banks of the River, situated as a Terrace, perpendicular from Steps that went down to the Water, I should suppose about Twenty-five or Thirty Feet: The Inner Inclosure, which was upon this Terrace, might be a Square of something less than the Area of this Court; there was a small Building in the Middle, upon Eight Pillars, and at this Time hung with Cotton Purders or Curtains. On each Side of this there was a small Hall, open, with Two Pillars in Front, and a small Room at each End of it. At the End opposite the River, which was made the Square, there was a cut Stone Wall, cut into Shapes and open, latticed. This stood about Four or Five Feet higher than the other Inclosure, which was about Three Times its Size; not a regular Figure, but the whole surrounded, excepting to the River-side, by a Wall, as I should judge, of Fifteen Foot high.—The Two Companies, when I left the Place, were stationed in the Outer Inclosure, and the Officers, some few Orderlies, and the Raja, were in the other.

Q. What Distance was the Shewallah from Benares?

A. I should think it must be about a Mile and a Half from Mahadew Dafs's Garden, that was close to One End of Benares.

Q. Mahadew Dafs's Garden was the Quarters of the Governor General?

A. It was the House of the Resident, where the Governor General was at that Time.

Q. Whether any Thing that passed in the Place where the Raja was, could be seen and heard by the Persons on the Outside of the Outward Court?

A. Certainly impossible.

Q. How long was it before you received the Accounts of the Massacre?

A. I believe it must have been about Two o'Clock. It was at the Beginning of Dinner, and I believe we dined about Two.

Q. What Number of Persons were there destroyed at that Place?

A. There was a Return made to the Governor General, and I believe it was 206 killed and wounded; but I would not say as to any particular Number.

Q. Killed and wounded?

A. Killed and wounded.

Q. Do you remember, before receiving the Accounts of the Massacre, receiving any Message, and sending any one back to the Raja at this Place?

A. I believe that there were at least Four Messages passed between.—I think Four Messages came from Lieutenant Stalker, before we heard of the Massacre.—I am not certain how many.—The first, I remember, was only to send Breakfast.

Q. What was the second Message, and by whom sent?

A. The second Time he wrote, he said there were armed Men crossing from Ramnagur in several Boats; and that he was surprized to find the Two Companies commanded by Lieutenant Scott were completely without Ammunition; and desired some to be sent immediately.

Q. What was done in consequence?

A. An Order was sent to Meerwaddy, where Colonel Popham's Encampment was, ordering Ammunition, and a Company of Seapoys under Lieutenant Burrel as its Escort, to proceed immediately to the Two Companies at Shewallah.

Q. Was that Order executed?

A. Lieutenant Burrel marched to Shewallah, and about the Distance of Two or Three Hundred Yards from there was opposed by about Two Thousand, as I understood, of Cheit Sing's Troops,

Troops, who would not suffer him to proceed to the Inclosure.—Lieutenant Stalker had at this Time written another Note, saying, that there was a Tumult without the Gate, and pressing the Ammunition to be forwarded to him.—Upon Lieutenant Burrell's being opposed, he wrote a Letter in Pencil to Colonel Popham, stating that he was opposed, and wishing for Orders, asking his Orders, whether he was to force his Way, or not?—An Order was written by Colonel Popham, ordering him at all Events to make his Way good to the Place. At the same Time Mr. Hastings, the Governor General, (I should have stated before, that there was a Letter from the Rajah to the Governor General), called for a Moonshiee to write to the Rajah. At this Time the Durbar was up, and all the People, the Mutsuddies and People who came to pay their Respects to the Governor General, left the House. I believe I said, if we cannot find any body to write the Letter, it is best to send a verbal Message. Whether I gave the Message to the Chubdar, or whether Mr. Hastings gave the Message to the Chubdar, I am not assured; or whether we did not both speak, from being anxious at the Moment; but he was ordered to go to the Rajah, and to tell him, that if any Blood was spilt, European or Seapoy, the Fault would be considered as his, and that he would answer for it.—He and the Man who carried the Note, the Order, the Message, to Lieutenant Burrell, mounted their Horses at the same Time, rode together to Shewallah, to where the Company commanded by Lieutenant Burrell was opposed. The Chubdar said, he had his Message from the Governor General, and that he would go in first to speak to the Rajah.—The Rajah's Troops knowing this Man to be a Man that always carried the Letters from the Resident to the Rajah, being a Man well known, he was suffered to pass unmolested through.—When he got into the Door, Lieutenant Burrell immediately advanced, and the first five Steps they made, received the Fire from most Part of the Rajah's Troops that were drawn up before the Door. At this Time the Chubdar had been to Lieutenant Stalker, and told him, that he had a Message to deliver to the Rajah, and was told by Lieutenant Stalker to deliver it.—The Fire on the Outside was the immediate Cause of the Attack within; for, contrary to the Orders I had given, the Officers had admitted Monnihar Sing, a Relation of the Rajah's, and his Son Nuncoo Sing, with a Force sufficient, added to the Number of the Rajah's Followers who were in before, to complete the Destruction of this Detachment, and of its Officers.

Q. (*By Managers.*) Where was you during that Time?

A. At Mahadew Dafs's Garden.

Q. That was on the other Side of the River?

A. No.

Q. (*By a Lord.*) You said the Durbar was up, what is the Meaning of the Durbar?

A. An Assembly of People that come to pay their Respects to the Governor General, or to any other Person of high Rank in that Country.

Q. (*By the Managers.*) Was you at the Spot where the Transactions last alluded to passed?

No Answer.

Q. (*By Counsel.*) Whether some of the Transactions you have spoken of were the Report, at the Time, of the Person employed in the Business?

A. What I have recounted is merely the Account of Lieut. Burrell, who commanded, and the Accounts of an Orderly of Lieut. Stalker, who was with his Master, and who was cut down at the Time, but recovered. I made Inquiry from the Moonshy of Lieut. Stalker, I believe a well informed Man; and I have not the least Doubt of the Truth of every Thing I have stated.

Q. (*By the Managers.*) Whether or no the Person, the Orderly, who was cut down, has not made a Deposition to that Effect?

A. I believe there is a Deposition of the Orderly, but I do not know that I have read it over lately.

Q. (*By Counsel.*) With respect to the Chubdar who was sent with the Message, what was his Rank and Situation,—whether he was one of the vilest of Mankind?

A. He was a Bramin, an old Man between 60 and 70, and I should hardly think he would have ventured to give an improper Message, or have insulted Cheit Sing, when Mr. Stalker, my intimate Friend, was by, and a confidential Servant of mine, Moolavy, that must have informed me if he had been guilty of any Insult.—He was the Man who had always gone with Letters or Messages to the Rajah: A Man of the same Rank as a Servant, came from the Rajah; and it certainly could have been no Insult in sending this Man to him.

Q. Had this same Person of the Name of Cheit Ram been constantly employed in Messages to the Rajah without any Sort of Objection or Insult?

A. He had most undoubtedly, not only by me, but by Mr. Graham, whose Servant he was before he came into my Employ.

Q. Was he a Person of as high Cast as the Rajah himself?

A. He certainly was of higher Cast than the Rajah Cheit Sing.

Q. Whether any of the Populace of Benares were present, or at the Massacre, or quitted Benares afterwards?

A. I never heard they did, and I believe they did not. I believe the People who opposed Lieut. Burrell, were Forces in the regular Pay of the Rajah Cheit Sing.

Q. The Account of the Massacre came about Two o'Clock?

A. Yes, the wounded Man came to us about that Time.

Q. What became of Mr. Hastings after the Massacre—how long did he continue at Benares, at Mahadew Dais's Garden?

A. The Massacre happened on the 16th of August 1781, and I believe we left Mahadew Dais's Garden on the 21st of the same Month.

Q. What was the Conduct of Cheit Sing after the Massacre of Shewallah?

A. He fled that Evening to Lutteespore.

Q. Speaking generally, was the Country of Cheit Sing in a State of Rebellion immediately after that?

A. Immediately. We did not receive the Post the Night after: All Communication was cut off, and prevented coming to or leaving Benares; that is, we sent it, but the Hircarrahs were put to Death.

Q. Did you go with Mr. Hastings to Chunar, when he went to Chunar the Evening, the Night, of the 21st?

A. I did.

Q. The Rest of the English Gentlemen went with him, and the Troops such as you had?

A. Yes—on the Evening of the 21st.

Q. What Time did you arrive at Chunargur?

A. At Break of Day the next Day.

The Witness was directed to withdraw.

Then the House adjourned to the Chamber of Parliament.

Die Mercurij, 16^o Maij 1792.

THE Lords being in their Places, the House resumed, the usual Proclamations made, and the Defendant appearing at the Bar, the Lord Chancellor informed the Counsel for the Defendant they might proceed with their Evidence.

The Counsel for the Defendant desired Mr. Markham might be again called in.

Mr. Markham was accordingly called in, and examined as follows:

Q. What is the Distance of Ramnagur from the Place called Shewallah Ghaut?

A. About two Miles.

Q. Separated by the River?

A. On the opposite Shore of the River.

Q. In an Affidavit it is stated, that Munnihar Sing and Nuncoo Sing were among the Persons that committed the Slaughter; were they related to the Rajah Cheit Sing?

A. I believe as Second Cousins.

Q. Do you know a Person of the Name of Senamur Sing?

A. I do not recollect him.

Q. Was Saddanund a Person also mentioned as being there in any Office about the Rajah?

A. He was Buxy to the Rajah, or Treasurer.

Q. It is stated that several of the Rajah's People were seated without the Purdahs; what is the Meaning of that Word, Purdahs?

A. Curtains made of Cotton stuffed with Wool, these particular Purdahs were.

Q. In what Part of the Building were they?

A. I described a Building in the Middle of the Square, that stood on Eight Pillars,—supported by Eight Pillars; it was there that this Place was hung with these Purdahs.

Q. It is stated, that Intelligence was brought to the Rajah, that another English Company of Seapoys were coming from Meerwaddy, what Place is that?

A. There is a Building, and what in India is called a Tank, a Piece of Water, and that was the Place where Major Popham's Detachment was stationed?

Q. Were any of the Persons who were concerned in the Massacre of Shewallah ever sent by the Rajah for Punishment? Munnihar Sing, or Nuncoo Sing, or any of the Persons concerned in the Massacre—were they ever sent to the English to be punished for the Murder?

A. Certainly not.

Q. Did they continue to be employed about the Person of the Rajah?

A. Munnihar Sing died, I believe, in the Course of five or six Days after the Massacre at Shewallah; whether from a Wound received, or not, I do not know; I do not recollect.

Q. With respect to Saddanund, and Nuncoo Sing?

A. Saddanund was employed, and I believe Nuncoo Sing.

Q. Did you understand by what Means the Military of Cheit Sing were assembled round Shewallah?

A. I understood that immediately on my quitting the Rajah, Saddanund wrote over to Ramnagur to Sujaun Sing, stating the Affair, and desiring Troops immediately to be sent—immediate Assistance.

Q. Whether the Intelligence which you describe yourself to have received at the Time of what passed at Shewallah was communicated to Mr. Hastings, and the Circumstances of the Massacre at Shewallah?

A. I believe, I do not speak to a Certainty, but I believe a regular Report was made to Mr. Hastings by Colonel Popham.

Q. Besides that, were the other Particulars you have described notified to Mr. Hastings?

A. Most certainly; at the same Time there were various Accounts of it. I have stated that which I believed to be the most probable.

Q. There is one Circumstance with respect to a Letter sent by Mr. Hastings, prior to the Massacre, to Cheit Sing; who was the Person that delivered that Letter to the Rajah, by whom was it sent,—a Letter of Accusation against the Rajah?

A. I delivered that Letter myself.

Q. Do you know whether Persons of Rank in the Country of Cheit Sing had been arrested by Cheit Sing himself?

A. I believe Rajah Zullum Sing to have been arrested by Cheit Sing; and I heard,—it was before the Time that I was at Benares,—that Munnihar Sing had been arrested by him.

Q. (*By the Managers.*) Do you know it of your own Knowledge?

A. I believe I stated, it was before my arrival at Benares.

Q. (*By Counsel.*) Whether you remember the Murder of Mr. Hooper; the Circumstances of it?

A. I do.

Q. What Day was that, and where?

A. I believe it was the same Day that Captain Mayaffre was defeated on the other Side of the River. I was to have gone to the opposite Shore of Ramnagur with Major Gardiner, merely accompanying him, he going to observe whether a Mortar Battery would reach across the River to Ramnagur; it so happened I did not leave my own House at the Time he did, but I arrived within ten Minutes of the Rajah's People taking Possession of Mr. Hooper's Boat, and just as the People who had escaped from it reached the Shore; Mr. Hooper was murdered at that Time.

Q. What Place was that, whereabouts?

A. Exactly opposite to Ramnagur.

Q. Who commanded at Ramnagur at that Time?

A. I heard that Sujaun Sing had the Command: He was Brother to the Rajah.

Q. Ramnagur was possessed by the Rajah's Military Force at that Time?

A. No Doubt.

Q. Do you know any Thing of the Murder of the two Soldiers of Major Crabb's Detachment?

A. No, I do not.—Their Muskets were afterwards brought to me, but that had nothing to do with the Murder. I heard, afterwards, such Murder had been committed at Googegunge.

Q. Is Colonel Crabb living or dead?

A. Really I don't know.

Q. Do you remember where the Father of the young Moolavy (who was left at Shewallah Ghaut by Cheit Sing's Desire) was murdered?

A. The Father and the adopted Son, for he was an adopted Son, were confidential Servants of mine.

Q. What became of the Father?

A. In the Evening that we left Benares, I sent Hircarrahs to him, and to two or three other People, acquainting them with the Intention of moving immediately, and desiring them to hasten to us. The Hircarrahs, from Fear, I believe, did not carry that Notice to the old Moolavy,—from Fear of being left behind: He was taken the same Night by the Aumean of the Town, and sent Prisoner to Ramnagur, whence he was sent in Irons to Lutteefgur; and on the Rajah's going to Bidjegur, he carried him Prisoner along with him. He was confined in the Fort of Bidjegur, and the Day before the Rajah left Bidjegur, or the Night before, a Man entered the Prison, and told him the Rajah intended to present him with a Dufallah, a Pair of Shawls, a Mark of Honour, and to employ him to mediate for him through me to the Governor General. The old Man said the Hour of his Death was not far off, and accompanied them to the other Prisoners. They carried him some few Paces down the Hill, and put him to Death. His Remains were there when our Troops entered the Fort.

Q. (*By the Managers.*) How much of this do you know of your own Knowledge?

A. I never was in Confinement to Cheit Sing myself.

Q. (*By a Lord.*) What Knowledge have you of any Part of this?

A. I

A. I was informed by the Officers, that they had seen his Remains; and another distant Relation of his, named Syed Mahomet, went from Benares to bury them.

Q. When was this Information conveyed to you?

A. After the Capture of Bidjegur.

The Managers for the Commons submitted to the House whether this was Evidence.

Q. (*By Counsel.*) Was this Intelligence of the Destruction of this Person communicated to Mr. Hastings?

A. Mr. Hastings certainly knew it.

Q. What was the Day of the Retreat to Chunar?

A. The 21st.

Q. What was the Reason of your retiring from Benares to Chunar?

A. We expected an Attack that Evening from Ramnagur, from whence my Hircarrahs brought me Intelligence that Sujaun Sing intended to come over with a large Body of Men, and 20 Pieces of Artillery.

Q. Was it intended to go to any other Place before the Resolution was formed of going to Chunar?

A. Mr. Johnson had persuaded Mr. Hastings, I believe, at first to think of Juanpore as the Place of his Retreat, where he might be protected by the Nabob Vizier.

Q. Why did not you go to Juanpore?

A. As soon as the Knowledge of this Intention got abroad, the Person who had the Charge of the Posts, under myself, informed me, that large Bodies of Men were upon the Road from the Fyzabad Country to assist Rajah Cheit Sing; and that the Rajah immediately, on the Day of his breaking his Arrest, had sent Accounts by Relays of Horses (for he had Horses at various Places upon the Road) of the Event.

The Managers for the Commons submitted that this was not Evidence.

The Managers for the Commons were informed that the Evidence now produced was tendered to account for the Conduct of Mr. Hastings.

The Witnesses said,

I certainly communicated every Thing I heard to Mr. Hastings.

Q. (*By the Managers.*) You speak of the Posts under your Command, was you in any Military Command?

A. I was Postmaster at Benares—Deputy Postmaster.

Q. (*By the Counsel.*) On what Day did Mr. Hastings and you return to Benares after the Rebellion was principally quelled?

A. To the best of my Recollection on the 28th of September.

Q. Do you remember a Proclamation being issued soon after your Return?

A. There was a Proclamation.

Q. Was it the one stated in the Benares Narrative?

A. I believe it was—but I cannot answer positively to that Fact; I did not hear it proclaimed.

Q. Was any Person punished with the Loss of Property or of Life, or banished from the Country, except the Ring-leaders of the Rebellion, Cheit Sing, and his Brother Sujaun Sing?

A. Cheit Sing and Sujaun Sing were excepted by Name, I believe, in the Proclamation, and an Amnesty granted to every other Person, to the best of my Recollection; but I believe the Proclamation is upon Record.

Q. In what Manner was Mr. Hastings received, upon his Return to Benares, by the People there?

A. The Town was perfectly quiet; we returned to our old Quarters, and the People of the Town came in with their Compliments, upon the Events that had happened from the Time we left them.

Q. Do you remember the Circumstance of Mr. Hastings and yourself walking through every Part of Benares unattended with Military Force?

A. I cannot say through every Part of Benares, but we walked into the Middle of the Town to the Bissiffur, or Bishwar, a Hindoo Temple, and Mr. Hastings had directed his Attendants to stay behind.

Q. Was he in any Respect molested or insulted by any Person whatever?

A. By no Means.

Q From what you observed of the Conduct of Cheit Sing antecedent to the Rebellion, if a favourable Opportunity presented itself of casting off his Allegiance to the India Company, do you believe he would have availed himself of it ?

A. I believe, that if by Fortune of War our Affairs in India had been very much reduced, Cheit Sing would have seized the Opportunity, and, if he could, would have made himself Independent.

Q (*By Counsel.*) Do you remember the Appointment of Mehipnarrain ?

A. I certainly was with Mr. Hastings at Benares at the Time.

Q In what Degree of Kindred was Mehipnarrain to Bulwant Sing ?

A. Grandson, by his Daughter.

Q The Legitimate Grandson ?

A. Yes.

Q Cheit Sing was not so ?

A. He was not Legitimate.

Q Do you know whether the Appointment of Mehipnarrain was with the Approbation of his Mother, the Daughter of Bulwant Sing, and his Grand-mother Golaub Koer ?

A. It was with their Approbation, and to the best of my Recollection by a Writing, they gave up whatever Rights they might have to Mehipnarrain.

Q In what Manner was the Tribute settled ?

A. It was settled at 40 Lacks annually.

Q Was every Means taken to ascertain the Amount of the Revenues, previous to the Settlement of the Tribute at that Sum ?

A. Before Mr. Hastings's Arrival at Benares, I had made an Inquiry into the Revenue of the Zemindary, and gave Mr. Hastings a Statement of the Revenue upon which the Country was settled ; and I have Reason to believe that that Statement could not be very wide of the Truth.

Q What was the Amount of the Revenue by that Inquiry ?

A. I believe it is already in Evidence—it is printed.

Q In the Benares Narrative ?

A. Yes.

Q A Part of the first Year's Tribute was excused him, on Account of the Troubles: how much was it ?

A. On Account of what they call Pymally, which is the Damage that Troops do in a Country marching through it—on Account of several of the old Aumils having fled at the late Season of the Year at which it was taken, they demanded 6,66,666 Rupees, so that the Balance remaining was 3,33,333 Rupees.

Q Was Mehipnarrain a Minor at the Time of his Appointment ?

A. I believe he was about the Age of 18 ; I am not certain.

Q Who was the Person appointed Naib or Steward to manage the Country for him ?

A. His Father Baboo Durbedjy Sing.

Q Was the Witness acquainted with Jaggernaut, to whom a small Pension was granted ?

A. No, I was not.

Q Did you know Bundoo Khan, another of them ?

A. I did.

Q Had Bundoo Khan rendered any Service to the British Government during the Rebellion ?

A. Most certainly, very essential Service. I believe his Services are stated in the Narrative.

Q Is that Statement of it true according to your Knowledge ?

A. I believe so ; I was not with the Army, but I have heard——

The Managers for the Commons objected.

Q Did you know of the Statement of the Duties ?

A. I did.

Q In what Way were the Duties imposed antecedent to the new Settlement, by the Weight or by the Value ?

A. It was by the Tunca, or Bullock Load, or supposed Bullock Load, which was rated at six Maunds.

Q Without regard to the Value of the Commodities ?

A. The Duties were very arbitrary, and so ill managed, that they certainly were oppressive.

Q (*By the Managers*) How do you know that the Duties were arbitrary ?

A. From

A. From the very many Complaints made to me by Merchants, and English Gentlemen that passed through the Zemindary, in my official Situation as Resident—I wrote to the Rajah, in order to have a proper Distribution of it : I then wrote to the Rajah of the Misbehaviour of the Officers; and I believe I may say, he always settled it properly upon that Representation.

Q. (By Counsel.) What was the established Mode of imposing the Duties; by what Rule were they estimated antecedent to the Settlement?

A. I have mentioned already, that it was by the Tuncas by Weight, (and not *ad valorem*, not according to the Value of the Goods,) which in many Instances was vastly oppressive. There was another Thing which was oppressive, that the Duties were collected at Eight Places in their Passage from Choufar to Mirzapore, the extreme Points of the Rajah's Territories.

Q. What Alteration was made by the new Settlement to remedy these Evils?

A. In the first Instance, the Duties were laid upon the Value of the Commodity of the Merchandise; and in the second, instead of paying Duties at Eight different Places, there were Three Places established at which Duties were to be paid; and having paid at One of those Chokies, One of those Stations, it passed the other Two without further Molestation—When I say it passed, the Bulk passed.

Q. Upon producing a Voucher of Payment?

A. Yes—upon producing Vouchers.

Q. In fixing the Value there was a Table of Rates made?

A. I made it myself.

Q. Were the Merchants consulted in making that Table of Rates?

A. They were—I could not have made it without them.

Q. Was it made with their Approbation and Assistance?

A. That is a Table of Rates, I mean the average Value of the different Goods which ever passed through the Zemindary.

Q. That average Value was fixed by a Committee of Merchants then?

A. Four or Five of the principal Merchants of the Town assisted me in making that Table of average Rates.

Q. Do you remember a Circumstance that the New Duty, which was 5 per Cent. was found to bear too hard upon particular Commodities?

A. To the best of my Recollection that was a Thing before the Imposition of the New Duties, and upon which I applied to the Board at Calcutta, and they agreed with me to take off 2½ per Cent. upon certain Articles specified before to the Court, certain Articles of very high Value, such as Spices, and others.

Q. Had the New Duties been begun to be enforced prior to that Alteration?

A. I am pretty sure that they had not—pretty certain they had not—but I cannot find that Table of Duties. I have inquired for it from Mr. Hudson, who has the East India House Papers, and I do not find that they have my comparative Statement.

Q. The Alteration spoken of by you was in April 1782—the Question is, Whether, prior to 1782, they had not taken place?

A. To the best of my Knowledge they had not—I believe, I may say they took place the 26th of April 1782.

Q. After that second Alteration had been adopted, relieving them from 5 per Cent. to 2½, after the Alteration had taken place, was there any Complaint of the Duties imposed by any of the Merchants or Persons concerned?

A. I never heard of any; for to prevent any Misconduct of the Officers appointed to collect the Duties, I stationed a Person at my own Expence at Mirzapoor, and at Gauzepoor, to inform me if there were any Complaints made, or any Oppressions.

Q. Whether the Plan upon which the Duties were settled was such as was satisfactory to the Merchants after that Alteration was made?

A. I never heard that it was complained of; and I believe the same Plan continued a long Time after I was Resident; and whether it does not at present I do not know.

Q. You spoke of there being Eight Stations at which Duties were collected in the Time of Chert Sing: Were Duties exacted and paid at each of those Places?

A. The Duty was collected at each of those Places.

Q. Do you remember any oppressive Duties that were abolished upon the new Settlement?

A. There were Duties upon Pilgrims which were abolished, and some others, which I believe are stated, and before the House in Evidence.

Q. What was the Effect of abolishing those Duties?

A. The Mahrattas more particularly were very thankful for it.

Q. Was

Q. Was there afterwards a greater Resort of Pilgrims to Benares than before, after the Abolition of these Duties upon them?

A. I did not reside at Benares long enough after that Time to give a decided Opinion upon the Matter; but I should suppose there must.

Q. Whether the new Naib, the Steward appointed to manage the Country, proved a fit Person for that Trust, or not?

A. He certainly was rapacious and oppressive; he appointed Aumils that were not responsible Men; and endeavoured, in the Year that he was Naib, to squeeze as much from the Country as he possibly could.

Q. Did it fall within the Compass of your Office to know how the Duties were paid in?

A. When the Ryots could get no Redress from the Naib, I am speaking correctly when I say, they came in Hundreds with Complaints to me. I had no Authority to redress their Grievances. I used to send them back with a Letter to the Naib, requesting that he would enquire into the Complaint.—Complaints were more particularly made against an Aumil of the Name of Zullim Sing, Boniade Sing, Rutten Sing.—There were many more; I only mention these as Instances.

Q. Do you remember representing the Conduct of Durbedgy Sing in your Letters of the 24th of October 1782, and of the 12th of November 1782?

The Witnesses desired the Book containing those Letters might be shewn him. The printed Minutes, Pages 300, 301, were accordingly shewn to the Witness, and he said,

A. Yes, those are my Letters. I have read them over before.

Q. Whether you, at that Time, believed the Representations you made to be true?

A. I certainly would not have represented a Thing to the Board, if I had not been confident in my own Mind that it was true.

Q. Had you any Reason afterwards to doubt the Truth of them?

A. I had not.

Q. Were there any Arrears of the Revenue due from Durbedgy Sing to the Company?

A. To the best of my Recollection he made a Demand of 2,58,000 Rupees, under the Name of Deductions. Besides which, upon the 12th of November, the Day on which he was confined, he owed (I must put it under a general Word) a large Sum to the Company, perhaps Thirty odd Thousand Pounds. He had paid 27,27,000 Rupees. He demanded a Deduction of 2,58,000—and the Balance between those Two Sums, and 33,33,000 Rupees he was indebted to the Company at the Time of his Arrest.

Q. What was the Amount of the Kist due for the last Month of the Year?—Do you remember it—the Bahadun Kist?

A. I do not exactly recollect the Sum; but I believe it was about Eight Lacks of Rupees. I believe it is stated there.

Q. That was due the 4th of September 1782?

A. Due the 20th of September.

Q. How much of that Kist had he paid on the 12th of November 1782, when he was imprisoned?

A. I believe you will find I have answered that in a circuitous Manner.

Q. Do you now remember how much of that Kist was left unpaid at the Time of his Imprisonment?

A. I have stated the Balance in a circuitous Way.—I cannot exactly say what was unpaid.

Q. What is the usual Mode by which Balances are recovered from Persons who are indebted to the Government in that Country in general?

A. I believe, in general, by confining their Persons, if they will not otherwise pay. It is as gentle a Mode of exacting it as can be.

Q. Had you any Doubt of the Ability of Durbedgy Sing to have paid the Debt he owed?

A. I was confident that he had collected much more from the Country than the Sum he was indebted to the Company.

The Managers for the Commons objected to the Evidence.

Q. (*By a Lord.*) What Grounds had you for entertaining that Confidence?

A. It was afterwards proved to me by his own Papers.

Q. Were those Papers, Papers that came into your Office in the Course of your Employment?

A. When I ordered the Guard upon Durbedgy Sing, I likewise sent a Letter to him, desiring him to send his Mutluddies to me with the Papers.

Q. And

Q. And they were transmitted to you ?

A. They came to me.

Q. What became of those Papers afterwards ?

A. They were afterwards, upon a Reference between Jagger Deo Sing and Durbedgy Sing, given to Ally Ibrahim Cawn, who was the Arbitrator, I believe; and I believe they were in his Hands when I left the Office.

Q. Were they Papers that were transmitted to Government ?

A. No, I don't recollect that they ever were transmitted to Government. If it would be any Satisfaction, I could produce the Account that I drew out from these Papers at the Time.

The Managers for the Commons objected to the Evidence.

Q. Were those Extracts made by you officially ?

A. They were not done by my own Hand.

Q. Were they made in your Office ?

A. Yes.

Q. And for the Purpose of making Representations to Government about them ?

A. For the Purpose of knowing whether Durbedgy Sing could pay the Money that he ought to have done, or whether he could not.

Q. Was that to be represented to Government, or not ?

A. I had represented to Government, that he did not pay what he ought to have paid. I secured his Person for the Non-payment of it, and I could not get the Papers till I had secured his Person; for he would not have given them up to me.

Q. Was that in the Course of your Office to do ?

The Managers for the Commons objected.

Q. Did you compare those Extracts with the Papers ?

A. I do not read Persian nor Hindoostanny. I spoke the Hindoostanny very well, but I could not read it; therefore I could not compare them.

Q. Was any Representation made to the Government upon that Subject ?

A. I do not recollect writing to Government upon it; because, in the Beginning of April, Durbedgy Sing paid up his Arrears to the Amount of the Deductions which he required. With respect to the Deduction, I had no Orders from Government how far they would or would not allow of them; and I released him accordingly.

Q. How long was it before he paid up these Arrears, after you had got Possession of those Papers ?

A. He was arrested, I think, on the 12th of November, and I think he was released the first Week in April.

Q. That was after he had made the Payment ?

A. It was after he had made the Payment; as soon as he had made it.

Q. To whom did he make the Payment ?

A. To myself.

Q. Was the Demand made upon him in consequence of those Papers being produced which you have been speaking of ?

A. He was a Defaulter in a certain Sum which he had agreed to pay to Government; and it was for that Sum that I arrested him.

Q. And that Sum it was that he paid ?

A. Yes. My Intention in getting the Papers was to have collected for him, to have exerted my own Influence to get such Debts as were owing to him in the Country, that our Government might not suffer.

Q. Were the Papers delivered back to him afterwards ?

A. It was after I left the Office. Immediately upon the Release of Durbedgy Sing I left the Office of Resident at Benares.

The Managers for the Commons objected to the Evidence on the Subject of the Papers in question. The same was waived by the Counsel for the Defendant.

Q. (By the Counsel.) Whether you represented to the Board, that Durbedgy Sing had collected Forty Lacks in that Year ?

A. I find in a Letter of the 12th of November, that I say, "I am confident, and hope I shall be able to prove, that he has collected at least 40 Lacks from the Râje;" that is, from the Zemindary.

Q. Did you believe that to be true at the Time you wrote it?

A. I certainly did.

Q. Had you any Reason to disbelieve it afterwards?

A. I had no Reason to disbelieve it afterwards.

Q. The Amount he was to pay to Government was Thirty-three Lacks?

A. It was.—When I say he had collected Forty Lacks, there was a Debt due to him from his own Son, Rajah Mehpnarrain, of something about One Lack and Fifty-thousand Rupees, and another Debt owing to him from his Brother Baboo Seraub Cheit Sing, of One Lac Eighty Thousand Rupees.

Q. I wish to ask, whether frequent Applications were made to Durbedgy Sing for Payment before he was imprisoned?

A. Very many.

Q. Unsuccessful?

A. Of course.

Q. Whether, in the Mode of Imprisonment, any Severity was practised upon this Person?

A. No Severity whatever, unless that of preventing the Escape of his Person—that cannot be called Severity.

Q. Describe the Place where the Guard was put over him?

A. The Name of the Place was Petchas Moochin, which he had selected for his own Residence, and for the Transaction of his Business while he was Naib. It had a Garden belonging to it, surrounded by a Wall, and I suppose the Size of it might be that of Berkeley Square within the Walls. I don't know exactly how many Acres. The Guard were stationed without.

Q. He had the free Use, then, of his House and Garden, his usual Place of Residence?

A. Yes, he had.

Q. When you speak of his having discharged, in the Month of April 1783, the Balance due from him, did it extend to the Claim of Deduction which he made; was that Point settled at that Time?

A. It was not settled at that Time; but he gave a Muchulka, or Bond, that when the Council had decided upon it, if any Part of those Deductions were not allowed, he would make it good;—that he would pay such Sum as was not allowed.

Q. You have spoken of the State of the Police of Benares antecedent to the new Settlement: Whether any Steps were taken to put the Place upon a better Footing after the new Settlement, or upon the new Settlement?

A. Mr. Hallings appointed new Courts of Justice, and Ally Ibrahim Khan was Superintendent of them.

Q. What was his Character and Conduct?

A. I believe Ally Ibrahim Khan to have been as worthy and as good a Man as could have presided over a Court of Justice in any Country.

Q. What was the State of the Police of Benares after that Establishment had taken place?

A. I never knew a better-regulated Police in any Town than there was in that of Benares.

Q. Were the Inhabitants of Benares satisfied with him and his Administration of Justice civil and criminal?

A. I believe most perfectly so.

Q. Was any considerable military Authority left with the new Rajah, Mehpnarrain?

A. He kept no Troops in pay, if that is the Meaning of the Question, excepting such as were absolutely necessary for the Collection of the Revenue—too trifling a Number to be spoken of.

Q. Whose Troops garrisoned the Forts in that Country after the new Settlement?

A. There was a Body of our Seapoys under Captain Hook at Bidjegur, and a little Time after the Disturbances were over, the Forts of Lutteefghur, Agoree, and the Rest of them, were given up to the Raja, but he never garrisoned them.

Q. Who was the Person appointed to be the Naib or Steward of the Country when Durbedgy Sing was removed?

A. Baboo Jagger Deo Sing.

Q. Was he a Relation of the Family?

A. He was the Grandson of the fourth Brother of Munseram the Father of Bulwant Sing.

Q. Do you remember the Capture of Bidjegur in Nov. 1781?

A. I remember hearing of it.

Q. Did

Q. Did you see Panna, and the other Women of the Family of Cheit Sing, and receive them at Benares?

A. I had a House prepared for their Reception; I did not see or receive them.

• Q. Was every Attention paid to them upon that Occasion?

A. Every Attention was paid to them.

• The Managers for the Commons objected to the Evidence.

Q. Specify the Manner in which these Persons were treated under the English Government, how long they staid?

A. Mr. Hastings was at Chunargur at the Time the Women came out of the Fort of Bidjegur, and I received a Letter from him, desiring me to urge the Naib as strongly as possible to send an instant Supply of Bearers and other Conveyances, (a Kind of Palanquin that Women travel in,) to Bidjegur, or the Village near it, where the Women were, which was done.—I remember another Instance, where the Goods captured at Ramnagur were sold by Public Auction; I myself purchased the Picture of Cheit Sing done by an English Painter, and sent it to the Wife of Cheit Sing at the Desire of the Mother of Cheit Sing, through Mr. Jonathan Scott; I paid a Visit to them at Benares, where they certainly acknowledged to me the handsome Manner in which they had been treated; said, that they were sensible that the little Interruption given to them upon coming out of the Fort of Bidjegur, was a Mistake of an inferior Officer, and in general thanked me for Kindness shewn afterwards. When they left Benares, I sent Lieutenant Williamfon with a Company of Scapoys to the Confines of the Nabob's Dominions, where a Party of Madajee Scindia's, or Cheit Sing's People, received them, and she wrote me a Letter of Thanks.

Q. In what House was it that you visited these Persons?

A. In a House prepared for them by the Direction of Mr. Hastings.

Q. A proper House for their Reception?

A. It was.

Q. Was it by the Desire of these Persons that they were escorted in the Way described by Lieutenant Williamfon to join Cheit Sing; did they desire it themselves?

A. They did desire it; they were thankful for the Protection given to them.

Q. What was the Amount of the Fifteenth of the Prize Money paid to them; did you pay it yourself?

A. I received their Receipt for it, but I don't exactly recollect the Sum.

Q. About Two Lack and a Half?

A. Somewhere thereabouts.

Q. Their Silver Plate was given them too?

A. Yes.

Q. Do you know that Saadut Ally was removed on Purpose to make Room for them in that House, which was the House of their own Choice?

A. Saadut Ally did not live in the House himself, but I believe some of his Women were in it.

Q. This was the House they wished to be in themselves?

A. It was.

Q. That House was evacuated entirely for their Reception?

A. It was.

Q. Do you remember the Circumstance of the Officer's bringing a Sword and a Piece of Plate that was afterwards in your Possession?

A. I was not at Chunargur at the Time Mr. Calcraft brought it, to the best of my Recollection; but a Sword and other Pieces of Plate were sent to him by Mr. Hastings to be returned to Major Popham.

Q. It was returned?

A. It was; I did send to Major Popham the Sword and the different Pieces of Plate.

The Counsel for the Defendant informed the House, they had no further Questions to ask the Witnesses.

The Managers for the Commons stated, that they were a little exhausted; but if the House, notwithstanding, wished to proceed, they would first ask the Witnesses,

• Q. What was the Nature of your Duty at Benares? What Office did you hold at Benares?

The Witness was directed to withdraw.

The House adjourned to the Chamber of Parliament.

Die Martis, 22^o Maij 1792.

THE Lords being in their Places, the House resumed, the usual Proclamations made, and the Defendant appearing at the Bar, the Lord Chancellor said, Gentlemen, You who are of Counsel for the Defendant, will proceed in his Defence.

Then Mr. Markham was again called in.

Then the Managers for the Commons desired the last Question that was put to the Witnesses might be read.

The same was accordingly read by the Clerk as follows:

Q. What was the Nature of your Duty at Benares. What Office did you hold at Benares?

The Witnesses said,

A. I was Resident at Benares.

Q. How was you appointed?

A. By the Governor General and Council.

Q. Had you any Commission?

A. My Appointment was notified to me by the Secretary of the Board.

Q. Had you any Instructions?

A. Whatever Instructions I had——

Q. Had you or not any Instructions?

A. I had, I think, Three Letters to Raja Cheit Sing from the Governor General; one respecting the Cavalry.

Q. The Question is, Had you any Instructions relative to the Duties of your Office? Do you mean those were the only Instructions you had?

A. If the Question means, Whether in the Letter from the Secretary of the Board there were any Instructions for me, to the best of my Recollection there were none; there may be, but I don't recollect.

Q. (*By a Lord.*) Was there any formal Instrument that was called Instructions?

A. I do not think there was.

Q. Had you any other Instructions relative to your Conduct in the Resident's Office at Benares except those Three Letters you mentioned?

A. I had.

Q. What were they?

A. I believe I can best explain them by the private Paper of Memorandums given me at that Time by Mr. Hastings.

The Witnesses produced a Paper, and desired to know if he was to read it.

The Managers for the Commons being asked if they wished to hear it read, made answer in the affirmative; whereupon the Witnesses read the same as follows:

Memorandum for Mr. Markham.

1. To demand the Arrears of his Malguzzary.
2. Punctual Payments of his Kists to the Day on which they are due.
3. To insist on his punctual Obedience to the Order for us with a Corps of Cavalry.—He has answered the Letter—and offered 250.
4. State of Duties required by the Board.

5. Cutwally to appoint a Person to attend, and take Minutes of the Proceedings—and inform the Rajah, that it is expected that he will cause Justice to be administered, and pay more Attention to the Peace of his Country.
6. To afford his Protection to the House of Gopaul Dofs.

Then the Witness said,

There are Four Lines which are scratch'd out, but which I can read, if necessary.

Q. If they were Part of your Instructions, you will read them?

A. They were not. It is only to inquire of Mr. Fowke some Particulars.

Then he proceeded to read as follows:

To give a Preference to that House in Bills of Exchange.

* Sic in Orig. — Runchund, the Gomastah of Gopaul Dofs, desires to be employed in the Provision of Saltpetre in the Room of Doolumdals. In this, and every other Occasion, I wish you to indulge that House as far * it can be reasonably expected, as it has been of signal Service during the War, both in furnishing Remittance, and in the Conveyance of Speedy Intelligence.

7. Mr. Markham knows my Esteem for Bavram Pundit, whose Family I recommend to his special Protection.

8. Shafnee.

Then the Witness said:

Mr. Hastings had an Account, I believe, from myself, of a curious Copper Instrument that was found about 35 Feet under Ground, and wished me to procure it for him. It was a Thing of about 1500 or 1600 Years old.

Q. (By Counsel.) Is that what you meant by the Shafnee?

A. Yes.

Q. Were these all the Instructions that you had relative to the Nature and Duties of your Office?

A. I believe they were, excepting that as to those Letters of the Board which were at Benares, and which has been sent to Mr. Fowke. I was to act upon them as if they had been addressed to myself.

Q. Had you no other Instructions verbal or written from Mr. Hastings before you left Calcutta?

A. I do not recollect that I had.

Q. Did Mr. Hastings give you any Instructions, or any Explanations relative to the Nature of the Situation in which Cheit Sing stood, with respect to the Company?

A. I do not believe that he did.

Q. Did he give you any Instructions or any Information relative to the Disposition and Character of Cheit Sing?

A. Mr. Hastings was in general prejudiced in favour of Cheit Sing, and did not always, I believe, give that Credit to Representations against him which he ought to have done.

Q. The Question is, Not what Mr. Hastings did, or did not, give Credit to; but, What Mr. Hastings said to you on the Subject?

A. I considered this as an Explanation of my own Answer.

Q. Did Mr. Hastings give you any Instructions relative to the Conduct and Character of Cheit Sing?

A. I believe I have answered that Question before.

Q. Did Mr. Hastings give you any Information or any Instructions relative to your Conduct, with Respect to the Designs and the Character of Cheit Sing?

A. He did not.

Q. Did Mr. Hastings communicate to you any Design or any Project which he might have of exacting a large Sum of Money from Cheit Sing?

A. He did not.

Q. Did he mention the Subject to you at all?

A. He did.

Q. Before he went up to Benares?

A. No.

Q. I am now asking what passed before he went up to Benares?

A. No Intimation of the Kind.

Q. Did he inform you of any Thing respecting the Disaffection of Cheit Sing?

A. No further than his not having furnished the Horse on Mr. Fowke's Requisition.

Q. Did he give you any Instructions where those Horse were to be sent, or for what Purpose they were to be employed?

A. He did not.

Q. Did he give you any Directions how that Cavalry was to be paid?

A. He did not.

Q. Did he give you any Instructions to inform Cheit Sing, that that Cavalry was to be paid by the Company?

A. He did not.

Q. To what Place was it to be sent?

A. I understood that he was to furnish the Cavalry at Benares; but I never heard where they were to go from Banares.

Q. Was you instructed that Cheit Sing was to furnish the Cavalry at the Town of Benares?

A. If he was to furnish Cavalry at all, it must be there; but I never could suppose it would be at Bidjegur.

Q. What Number was Cheit Sing to furnish?

A. I do not believe that the Number was specified; as well as I recollect, it was as many as could be spared.

Q. As you had no other Instructions than those which you have now, state what you conceive the Nature of your Office of Resident to be?

A. I considered myself appointed to receive the Malguzzary of the Zemindary of Benares, and to transact any other Business in which the Board, or the Governor General, might think proper to employ me.

Q. Had your Office any Thing to do, and what had it to do with the internal Government of the Country?

A. I had no specific Orders—I had no Orders to interfere in the Government of the Country—Does the Question mean, whether it was the Duty of my Office?

Q. Inform the House whether you conceived that it was a Part of the general Duty of your Office to interfere in the internal Government of the Country, and if it was, in what Respect?

A. I thought it my Duty to interfere whenever it was for the Benefit of my Employers. If any particular Point of Interference in which I ever interfered is put, I probably shall be better able to answer.

Q. Then you are understood to say, that you conceived yourself to have a general Power to interfere in the internal Government of the Country, whenever it suited the Interest and Advantage of the Company?

A. I never did interfere with the internal Government of the Country during Cheit Sing's Time; that is, I mean with respect to the Collections: With respect to the Police of the Town of Benares, I have; but I don't conceive that is a Part of the Question.

Q. Was the Interference with the Police of the Town of Benares any Part of the Duty of your Office as Resident?

A. I think it was, not only as Resident, but as a Man. If a Murder is committed, I consider it every Man's Duty to apprehend a Murderer.

Q. But do you conceive it a Part of your Duty as Resident at Benares, to interfere with respect to the Regulation of the Police of the interior Part of the Country?

A. If the Court will recollect, in the Memorandums I have just read, there is a Direction for me, with Cheit Sing's Consent, to appoint a Man in the Cutwally, to take down the Proceedings of the Court; and I carried a Letter to Cheit Sing, desiring him to allow of it—ordering him to allow of it.

Q. Had you a Guard at Benares?

A. I had.

Q. What did it consist of?

A. Two Companies of Sepoys, but they were never armed.

Q. Whose Sepoys were they?

A. They were raised by Lieut. Stalker, and paid by the Raja.

Q. What was the Expence of that Guard—the annual Expence?

A. I do not recollect the Expence, but believe it to have been the same as that of two Companies in our own Service.

Q. By whom were they commanded?

A. By Lieut. Stalker.

Q. By whom was he appointed?

A. By the Board, at my Requisition.

Q. Under whose Orders were they?

A. Under

A. Under the Orders of the Resident.

Q. Now, for what Purpose was that Guard given?

A. For my own Protection, and the Protection of my House.

Q. For nothing else?

A. Not that I know of.

Q. Was not that Guard given to you for other Purposes than the mere Protection of your House and Person?

A. I do not know that it was.

Q. How did you represent to the Governor and Council that that Guard was given to you?

A. That must be in Writing.

The Counsel for the Defendant said, that if the Representation was in Writing, they should object to the Question.

The Witness was asked,

Q. Have you any Recollection of the Representation you made to the Company concerning this Guard?

A. I certainly applied for Lieut. Stalker to command it. I do not recollect the Letter, nor is it likely I should.

Then a Book endorsed, "Bengal Public Council, 12 February to 10 April 1781," was shewn the Witness, and he was asked,

Q. Is that the Letter you wrote to the Governor?

The Witness read the following Extract:

Hon^{ble} Sir and Sirs,

Raja Chyte Sing having offered me a Guard of two Companies of Sepoys of One Hundred Men each for my Protection, and that of the Town of Benares; I think it right to acquaint you with this Circumstance, that if you think it proper, an Officer may be appointed to command them, as they may be useful at some future Period, if taught the European Discipline.

Benares,
the 10th Feb. 1781.

I have the Honour, &c.
(Signed) Wm. Markham (a).

Then the Witness was asked,

Q. Was that Guard ever employed in the Assistance of the Police of Benares?

A. It was.

Q. Under whose Orders was that Guard employed?

A. Under my Orders.

Q. How came they not to be armed?

A. I often requested the Raja to give me Muskets for the Men—he sent over some without Locks, others with Match Locks, upon which Account I never would accept of them, and they had only their Side-Arms—by Side-Arms, I mean Swords.

Q. Were they disciplined?

A. It is impossible that they could be disciplined completely, if the Question means that. Lieut. Stalker, I believe, did his Endeavours to discipline them as far as he could, under such Circumstances.

Q. You went up to Benares in the Month of February in the Year 1781?

A. I did: I arrived, I think, on the 1st of February; I was there Three or Four Days before I took Possession of it.

Q. And Mr. Hastings came there in August?

A. Yes.

Q. You have said Mr. Hastings gave you no Information whatever of Cheit Sing's Disaffection or Disposition to rebel prior to your leaving Calcutta?

A. He did not.

Q. Did he ever give you any afterwards, and before he came himself?

A. When I met him at Boglepore.

(a) The above Letter is entered on a Public Consultation, dated Fort William the 19th February 1781: "At a Council, present the Honourable Warren Hastings, Governor General, President; and Edward Wheeler, Lieutenant General Sir Eyre Coote, K. B. absent on Command at the Presidency of Fort St. George," and signed at the End,

"WARREN HASTINGS."
"EDWARD WHEELER."

Q. The

Q. The Question is meant to confine it to the Time between Mr. Hastings's leaving Calcutta, and before the Meeting. Before you met Mr. Hastings at Boglepore, had you received any such Instructions?

A. Before I met Mr. Hastings at Boglepore, the only Instructions I had ever received, were to get an exact Account of the Customs of Raja Cheit Sing's Country for the Time of his Arrival; I believe I have got the Letter upon that Occasion.

Q. Is it in the public Correspondence?

A. I believe not; I believe it has never been out of my Possession.

The Witness produced a Paper indorsed, "Calcutta, Mr. Hastings," and read the same as follows:

Dear Markham,

Fort William, 28th May 1781.

I have determined to make a Visit to Benares and Lucknow. I shall certainly leave Calcutta on the 15th of July, and as I mean to abridge the first Part of my Way, I may reasonably hope to be with you within the Course of the ensuing Month.

Some Good I may be enabled by you to effect at Benares; and for that Purpose I wish you to prepare against my Arrival an Account of the Chokeys stationed within the Raja's Jurisdiction, the Sums for which they are respectively farmed, the State of this Department, the Manner in which the Duties are levied, the Checks established against Extortions, whether the Collectors levy arbitrarily or by the Table of Rates, whether there are Exemptions, and in Favour of whom. I should be glad to have an Account of the Quantities of the principal Articles of Merchandize transported through his Country either from or to this, and the present Table of Rates, with an Addition of the Prices made to it.

You will know whether any other Matters will require my Inspection, and prepare for it accordingly.

I am,

Dear Markham,

Yours affectionately,

Warren Hastings.

Then the Witness was asked,

Q. Did Mr. Hastings ever inform you, prior to the Meeting him at Boglepore, that he was determined to draw from Cheit Sing the Means of Relief for the Company's Distresses?

A. Before his Arrival at Boglepore he did not make any such Communication to me.

Q. Did he ever inform you that he was determined to make Cheit Sing pay largely for his Pardon?

A. He did, on his Arrival at Boglepore, not before.

Q. Then you are to be understood, that upon this Subject, prior to your meeting Mr. Hastings at Boglepore, he gave you no Intimation whatever of the Kind?

A. The Honourable Manager has stated it.

Q. Had you any Communication with Mr. Hastings respecting Cheit Sing or his Designs, other than what appears upon the residuary Correspondence?

A. I certainly did communicate to Mr. Hastings that I could not obtain any Cavalry from Cheit Sing; and I likewise mentioned to him the bad State of the Police of Benares.

Q. Is it upon the Correspondence?

A. I cannot say.

Q. Is that all that you communicated to Mr. Hastings respecting Cheit Sing, other than what appears upon the public Correspondence?

A. I believe I did communicate to Mr. Hastings Suspicions that I had of Cheit Sing's Fidelity to us; I believe there is a Letter; I think I wrote him a Letter mentioning my Doubts of his Fidelity.

Q. At what Date?

A. There is such a Letter I believe.

Then a Letter was shewn to the Witness by the Counsel for the Defendant, and he was asked,

Q. Is that the Letter you allude to?

A. Yes, this is the Letter; it is dated Chunar, March 27, 1781.

Then the Witnesses read the Letter as follows :

My Dear Sir,

Chunar, March 27th, 1781.

The Raja has had Intelligence from Calcutta, that the Mahrattas have entered our Provinces; and he now talks among his Favourites, as I have very good Intelligence, of delaying the Supply of Cavalry, until he can be certain whom Fortune will favour in the War. However ridiculous this Notion is, he has adopted it; and if any serious Accidents happen to our Arms, he has told his Minions, he will declare Independence. This, the most silly Idea that could ever enter into his Head, I really believe, from what I have myself known of his Folly and short-sighted Conduct, has a Place in his Mind. Pray, my dear Sir, order some one to write me what I am to do with respect to the Cavalry.

I some Days ago got Intelligence of a Bramin, by Name Soodial, who lived a few Coss from Benares, who regularly kept from Fifty-three to Fifty-seven Thieves in his Pay; that they not only robbed in the Zemindary, but even sent out detached Parties as far as Lucknow and Lawnpoor; I desired the Raja to seize this Man and send him to me, which he has done; and I believe I shall have sufficient Witnesses to convict him; he is now in Confinement.

I wish to be upon friendly Terms with the Raja, but he will not permit me. The People of Sook Loll, one of his Servants, the other Day caught an Hircarra of mine and beat him, saying, it was by their Master's Order. I desired the Raja to make Enquiries into the Affair, and to send Sook Loll to me; he refused this.

Yesterday an Hircarra whom I had sent to a Village, desiring the Cutwal to catch a Man who was accused of Murder, returned much beat by his Brother Sujan Sing's People, and for no other Reason but because he was my Hircarra. I have represented this in strong Terms to the Raja, telling him, that it is not only an Insult to me, but to you, whose Representative I am; that I expect immediate Reparation, by his delivering the Aggressors to me, or that he shall make his Answer to you, against whom I consider the Indignity rather than against myself. I will To-morrow or next Day write the Result of this Letter. My best Compliments wait on Mrs. H. and believe me, my dear Sir,

Your much obliged devoted Servant,

William Markham.

Then the Witnesses was asked,

Q. Did Cheit Sing send the Robber mentioned in that Letter to you?

A. He sent Sooklol to me.

Q. The Question does not mean Sooklol; did he deliver up Soodial to you?

A. He did.

Q. What became of him?

A. The Raja got the Evidence from me that I meant to adduce against him.

Q. Was he tried?

A. He was not: To the best of my Recollection he was a Day or two afterwards released.

Q. By whom was he released?

A. By my Directions.

Q. Did he send that other Man to you?

A. I rather think he did not send him to me; I do not recollect the Circumstance.

Q. Then he did not send him to you?

A. I believe not.

Q. What do you mean by saying, he got the Evidence from you?

A. Either by Promises or Threats he seduced them from me, so that I had not Evidence to convict the Man.

Q. Do you know of your own Knowledge, that he either did it by Threats or Promises?

A. I could only know it from what I heard at the Time; it was not likely that he would either threaten them or promise them in my Presence.

Q. How do you know the Fact?

A. It was told me at the Time; who the People were that told me, I do not recollect.

Q. By whom was you told?

A. I said I did not recollect; but by the Connection of the Circumstances I was myself convinced of it.

Q. What are the Names of the Persons who were to be Witnesses?

A. It can hardly be supposed I should carry the Names in Memory; I do not know them; I have no Memorandum, and therefore cannot say.

Q. Did you ever make any Enquiry after those Persons afterwards; after the Witnesses?

A. Indeed

A. Indeed it is much more than I can recollect at present; I should not have recollected this Circumstance, but that it was shewn me in the Letter.

Q. How came that Letter not to be in your public Correspondence?

A. Because I thought it more fitted for a private Communication.

Q. Did you keep any Diary?

A. I did not. I believe at one Time, for a short Time I did, upon Recollection; but I have it not by me; it was destroyed with other Papers that I neglected.

Q. When was it destroyed?

A. That is more than I can tell. If the Question means, whether it was destroyed in this Country or in India, it certainly was destroyed in India.

Q. Was it not Part of the Resident's Duty to keep a Diary of all his Proceedings?

A. This is the first Time that I ever heard there was a Suspicion that it was his Duty.

Q. What Part of that Letter is it that you conceive more fit for a private than a public Correspondence?

A. That Part of it stating what I believed had passed privately between the Raja and his confidential People. It was a Thing I would not have stated to the Board.

Q. How came you not to state in your public Correspondence that Part which relates to the Disorders of the Country?

A. If I was to answer to that Question now, I am convinced that I should give a Reason that originates at this Moment, and not the Reason of the Time, for I do not recollect it.

Q. Did you ever communicate to Mr. Hastings that Fact which you have now mentioned respecting the Notion that you had that the Witnesses were spirited away?

A. I do not recollect that I ever did.

Q. Did you communicate it to Cheit Sing?

A. I will not say I did, because I have neither Letter to prove it, nor Recollection that it passed in Conversation between us; but I should imagine that I must have done it.

Q. How long did you keep the Man in Custody?

A. Really I cannot say the Time; but I released him as soon as I found I could not convict him.

Q. Did you take any Measure to recover these Witnesses at the Time, or to find others?

A. I dare say I did at the Time; I don't recollect it; I should not have recollected the Circumstance itself, had it not been shewn me in the Letter.

Q. Do you recollect an Instance of a Person of the Name of Ismael Beg taking refuge in Cheit Sing's Territories?

A. Ismael Beg?

Q. Any Zemindar?

A. I do not recollect any particular Circumstance of the Kind.

Q. Do you recollect Cheit Sing sending a Party of Horse to take a Zemindar?

A. I request the Time to be pointed out, the Date of the Time spoken of.

Q. About the 30th or 31st of May 1781?

A. I may have written Letters upon the Subject, but I do not recollect it; it is a Thing common; I had several Applications from Mr. Middleton, from Mr. Green, perhaps from Ismael Beg; but I do not recollect the particular Circumstance to which the Honourable Manager alludes?

Q. Whether the Country of Benares was not a Country in which it was extremely common for refractory Zemindars and Persons of that Description to take refuge in?

A. It was; the Raja too often protected them.

Q. Did it not happen after the Expulsion of the Raja as well as before?

A. It may have been so; but I don't recollect any particular Instance.

Q. How do you know that the Raja protected them?

A. I can only say that Fatty Shaw took protection there, and I complained to the Raja upon the Subject, and stated to him a Report that I had heard, that he was on the Point of marrying his Daughter to Fatty Shaw's Son.

Q. At what Period was it?

A. I have not finished; I mentioned it to him; he said, that it was not to be so, but requested I would use my Influence with the Governor General and Council, that Fatty Shaw might be received again to his Zemindary, or Lands, or whatever Possessions he had in Bahar; I do not recollect what they were.

Q. At

Q. At what Period was it Futtu Shaw took refuge in Benares ?

A. I cannot speak as to the Month.

Q. Or to the Year ?

A. It was in the Year 1781, because Lieut. Stalker proposed to me the Seizure of him, and required the Reward that was set upon his Person.

Q. Did he not take refuge there in the Year 1782 ?

A. I really do not recollect ; he might.

Q. Do you recollect an Application from Captain Lucas for the Purpose of seizing him ?

A. As it has been mentioned, I believe there was something of the Kind ; but the Letter I do not recollect ; I do not recollect the Circumstance.

Q. Had you not more Charge of the Government of Benares after the Period of Cheit Sing's Expulsion than before ?

A. Does the Question mean the Town of Benares, or the Zemindary ?

Q. The Zemindary of Benares in general ?

A. I had not more Power, that I know of, given to me by the Governor General ; but I certainly had a greater Influence.

Q. Do you not recollect Futtu Shaw's taking refuge there in that Period ; that is, after the Expulsion ?

A. I really do not recollect the Circumstance.

Q. Don't you recollect Applications from Mr. Bristow, complaining of refractory Zemindars of the Vizier's Dominions taking refuge in Benares in the Year 1782 ?

A. I believe there might be such Representations ; but my not having seen the Letters, if there were any, from that Time to the present Moment, I trust to the Candor of the Honourable Manager, that if he wants an Explanation of them, he will shew me the Letters.

Q. Do you recollect Mr. Bristow complaining to you of its being a common Practice for the refractory Zemindars to take refuge there in 1782 ?

A. Really it is impossible for me to recollect the Particulars of Complaints now ; I cannot and will not answer to them ; if there are any, I dare say they are upon Record. Let the Record be produced, then I can explain particular Circumstances, if asked.

Q. Do you recollect a Complaint made to you by Captain Dennis of a refractory Zemindar having taken refuge in the Zemindary of Benares ?

A. I do not recollect the Circumstance ; there were so many Complaints from different Officers, from Mr. Bristow, from Mr. Green, from Major Eaton, and others, upon different Occasions, that it is impossible for me to carry in my Mind any particular one from the Time that I was appointed Assistant at Benares, to the Time I left it in April 1783.

Q. Do you recollect a Complaint from a Person of the Name of Almarram, or Acbarram, a Bramin ?

A. I do not recollect the Name or the Complaint.

Q. Do you recollect any Complaint from a Person of the Name of Roberts—Captain, or Major Roberts, about April, in the Year 1783 ?

A. I believe I left Benares on the 5th, so that it must have been very early in April. I don't recollect it ; probably I was not there.

Q. Do you recollect any Complaint, during the Course of the Year 1783, of a Murder being committed in the District of Benares before you left the Town ?

A. I went down to Calcutta ; I think it was the Beginning of February 1783, and left Mr. Penn in Charge of the Office in Calcutta. The Account arrived of my Removal from the Resident's Office by the Court of Directors ; and I returned merely to give up the Charge of my Office, and to settle the Affairs of it ; and I left it the Beginning of April.

Q. Do you recollect any Complaints of Disorders being committed in the Course of the Year 1781 by the Zemindars of Patna, in the District of Benares ?

A. I do not recollect the Thing. Cheit Sing may have complained to me against them, and I may have written to the Collectors at Patna ; but I hope, from the Number of Complaints that are stated for my Recollection, it will be seen, that from that very particular Circumstance, it is not likely I should recollect any particular one ; whenever I do, of course I will say so.

Q. Do you recollect any Enquiry that was made into certain Complaints that were made of the Conduct of Major Eaton's soldiers ?

A. At what Period of Time ?

Q. About the Year 1781 ?

A. If the Questions mean to allude to two young Officers that were wounded, I believe it was before my Appointment to Benares.

Q. Do

Q. Do you recollect any Complaints made of the Conduct of the Sepoys posterior to the Expulsion of Cheit Sing?

A. Very many; I do not recollect particular ones; whenever an Army marched through the Country, there were many.

Q. The Question does not mean, when an Army marched through the Country, but whether there were not at other Times in Lutteepore, Chunar, and Bidjegur?

A. I have no Doubt but there were; but the only Complaint that particularly strikes my Recollection, was against a Captain Baker, in the District of Billere.

Q. Where is that?

A. In that Tract of Land between the Gogra and the Ganges, Eastward of Gauzepore.

Q. Do you recollect any Complaints that you made to Colonel Blair concerning the Conduct of his Sepoys in May and August 1782?

A. I have no Doubt that I have often complained to Colonel Blair of the Conduct of the Sepoys from Chunar; but I could wish it to be pointed out particularly what Oppression is meant.

Q. You said, Mr. Hastings gave you some Memorandums to carry up to Cheit Sing; one with respect to Cavalry, another with respect to the Police, and a third respecting the Malguzary—When did you make the first Requisition to Cheit Sing respecting the Horse?

A. On the first Day that I visited him.

Q. What passed upon that Occasion?

A. I believe I have stated it in my former Evidence.

Q. If it is all, then state only the general Result?

A. I do not know that every Argument I may have made use of is there; but the general Result is.

Q. Did you make any other Requisition?

A. I requested of him the Two Companies of Sepoys that I afterwards had:

Q. Did Cheit Sing offer you any Horse, or any Match-lock Men?

A. He offered me 500 Horse and 500 Burkendaffes.

Q. Were your Requisitions in Writing?

A. Very often in Writing; very often in Conversation.

Q. What Answer did you make to him respecting the 500 Horse and the 500 Burkendaffes?

A. I believe I have already stated it in my former Evidence, that the 500 Burkendaffes were of no Use in our Line, and that I wished (I do not know that those were the Words) him to muster the 500 Horse as a Proof that he was in earnest.

Q. Do you recollect nearly the Date of that Conversation?

A. I believe it must have been in May, I should rather think so.

Q. Is that Requisition, or any other, in Writing; and if so, where are they?

A. They were in Persian.

Q. Have you any Copies of the Answer made to them?

A. I have not; if I had any, it would be the Answers themselves; but I have not.

Q. Did Cheit Sing inform you he had written to Mr. Hastings upon the Subject of the 500 Horse and the 500 Burkendaffes?

A. He informed me, that he had written upon the Subject of Cavalry to Mr. Hastings, and I believe it might be that Statement, but I am not certain; but I had a Letter from Mr. Colebrook, the Persian Translator, that Mr. Hastings, upon the Receipt of that Letter, whatever it was, had given Orders to Cheit Sing's Vakeel in Calcutta, that he was to furnish 1,000 Horse.

Q. Have you that Letter?

A. I have not; it is at Benares, I suppose.

Q. Is that Letter upon your Correspondence?

A. The Persian Translator's Letter to me cannot be upon my Correspondence.

Q. Did you not keep Copies of them?

A. I did keep the Letters that were sent me, as I did all Receipts, which were left in the Office.

Q. You have it not then?

A. I have it not.

Q. After the Expulsion of Cheit Sing, what Number of Troops were maintained in the Territory of Benares?

A. Does the Question mean the Company's Troops?

Q. Certainly?

A. I do not know their Amount ; but I believe they were more than before Cheit Sing's Expulsion.

Q. Was not Bidjegur, Lutteefpore, and the other Forts, garrisoned by the Company's Troops ?

A. There was a Corps of Sepoys raised by Captain Hook for the Garrison of Bidjegur ; and there were Companies from Chunargur to garrison Lutteefpore ; but they were afterwards returned to Chunargur, and Lutteefgur was given up to Raja Mehpnarain.

Q. Had you not frequent Occasion to employ the Company's Sepoys, or to call in the Military Assistance, for the Purpose of the Collection, posterior to the Expulsion of Cheit Sing ?

A. Whenever the Naib applied for any Military Assistance, I was directed to apply to the Officer at Chunargur for it ; and to the best of my Recollection, there was a Battalion of Sepoys generally stationed in the Gauzepore District, and either a Regiment or a Battalion under Major Roberts at Juanpore ; they were stationed there regularly, and regularly relieved, I believe.

Q. The Question was, whether you had not frequent Occasion to employ those Troops in the Collection ?

A. In the Bellear District the Naib wanted to use them for an oppressive Purpose. There had been a Murder committed in the Bellear Country before Mr. Hastings had left Benares, and he insisted upon the Murderers being brought to Justice. It had made a Commotion in the Country, as it was a Murder ; though it was committed by a few Individuals, it was very much taken up by the two Sides being of different Casts. Doorbedjy Sing took Advantage of this, and wanted to raise the Cowfics (one Party) Two Annas in the Rupee more than they had formerly paid. Upon their Refusal to comply with this Requisition, he wished to have expelled the whole Race out of the Country, and wished to have used this Battalion for that Purpose. Major Lane, who was there, acquainted me with the Truth of it. Doorbedjy Sing said, upon my applying to him, that he had Mr. Hastings's Orders to expel the Race of Cowfics from the Country. I said it was impossible, and would not allow him to do it. Mr. Hastings was surprized the Naib should have made such an Accusation, I may call it, against him ; and I forbade the Military Force to act for such a Purpose. I do not recollect that at that Period they were used in the Collections otherwise.

Q. (By a Lord.) But were they used at any other Period for the Collections ?

A. I do not know or believe that they were ever used in the Collections ; both the one Battalion and the other Battalion were placed in Stations to awe the Country, but they never went into the Mofussil.

Q. (By Managers.) What became of the Murderer ?

A. I really do not recollect he was ever brought to Benares. Whether he was seized or executed, I do not recollect.

Q. You said, that at one Time Cheit Sing was Twenty Days behind in the Payment of the Malguzary, and that Gopaul Dofs made a Complaint of him ?

A. I did ; and I believe I at the same Time stated there was another Kist, which was not paid for a longer Time than the Twenty Days. I believe it was due on the 4th of June, and was not paid, I think, till the 14th of July.

Q. Is it the constant Practice in Bengal to exact Payment strictly and punctually on the very Day on which it becomes due ?

A. I never was in any Office in Bengal by which I can speak with Certainty to that Question.

Q. Was it at all Times an easy Thing in the Market of Benares to get Bills into the interior Parts of India at very short Dates ?

A. I believe I could have got Bills to most Places in India from the Merchants at Benares whenever I had wanted them.

Q. Could you have got them at a very short Date, or short Sight ?

A. Short Date and short Sight are relative Terms.

Q. Could you get them payable at Sight ?

A. I do not suppose I could upon every Part of India, but upon Calcutta, or Bombay, or Surat. I suppose that by paying for it, I could have got them ?

Q. Could you have got them with equal Ease into the interior Part of the Western Part of India at Gohud ?

A. Not at Sight, I believe.

Q. To Malva ?

A. I am not certain with respect to Malva.

Q. Could you have got them at a Month's Date ?

A. I should think I could.

Q. Had you ever Experience of that ?

A. I do not recollect that I ever sent Money by Bills, either to Gohud or to Malva ; therefore, with respect to those two particular Places, I cannot speak upon Experience.

Q. Do

Q. Do you know at all at what Distance Bills were got to the interior Part?—What Premium?
A. I suppose it varied every Day, as it did between Benares and Calcutta.

Q. Was there no general Average Rate of Premium?

A. There was not. I have, with respect to the Exchange between Calcutta and Benares, known it from Two and an Half to Fourteen; and therefore I believe it varied in the same Way in other Parts.

Q. Did it vary in a greater Extent to the other Parts of India?

A. I believe I stated, that with respect to Malva and Gohud, which I imagine the Question alludes to now, I had no Experience, and therefore cannot answer the Question.

Q. I think your Instructions directed you to give a Preference in all Money Transactions to the House of Gopaul Dofs?

A. It did.

Q. Did you endeavour to assist Cheit Sing in procuring Bills from that House to make Remittances as directed by Mr. Hastings?

A. I did not.

Q. You did not?

A. Never; I had no Interference whatever.

Q. You had no Interference whatever?

A. None whatever. Cheit Sing got the Bills from various Merchants in Benares, and I received those Bills from him.

Q. Did you ever remonstrate to Cheit Sing against the Length of Date at which those Bills were drawn?

A. I could not make a Remonstrance against it, because it was at 51 Days Sight, which was, I believe, the Date agreed upon between him and the Governor General and Council, and so stated in his Pottah and Cabooleat.

Q. Then it was your Duty to accept from Cheit Sing Bills drawn at 21 Days Date?

A. It was when I had no Orders to receive the Money in Specie.

Q. Then you are understood to say, that Cheit Sing literally complied with his Pottah when he delivered to you Bills drawn at 51 Days Date, when he had to pay Money by Bills, and not to pay them at Benares by Money in Specie?

A. When Cheit Sing gave me Bills on the 4th of March, due on the 4th of March, at 51 Days Date, he, in such an Instance, would have complied with the Agreement of his Pottah and Cabooleat.

Q. If Cheit Sing gave you Bills for a Kist due on the 4th of March, payable 51 Days after, would he have complied with his Cabooleat?

A. If he gave me Bills on the 4th of March for the Money due on the 4th March, he then did comply with the Terms of his Agreement.

Q. Did you ever make any Complaint to Mr. Hastings against Cheit Sing for the Length of Date at which those Bills were drawn?

A. I believe it will be found that the Complaint was made by Mr. Fowke, on which that Letter which I carried to the Raja was founded. I do not believe that I made any public Complaint to Mr. Hastings upon that Occasion.

Q. Did you make any Complaint at all?

A. I think I recollect mentioning it to him respecting the Delay in the Payment of the Money when it was to be in Specie; but I do not recollect that I ever made any Complaint to him in those Months when Bills were to be furnished. It will be recollected, that I was only there Two or Three Months when Bills were furnished.

Q. What Allowance was made to Cheit Sing for the Premium which he used to pay upon those Bills?

A. There was an Average Rate settled to the best of my Recollection between him and the Government at Calcutta, and that Average Rate is expressed, I believe, in the Pottah and Cabooleat.

Q. When did you meet Mr. Hastings, when you went up to Benares?

A. I met him at Boglepore.

Q. What passed between you and Mr. Hastings respecting Cheit Sing upon that Occasion?

A. I related to him all Circumstances that I could recollect respecting Cheit Sing's Contumacy in not furnishing the Horse. I mentioned to him the bad Police of the Town of Benares, with many other Particulars, which I do not exactly recollect at this Moment.

Q. What Information did Mr. Hastings give you respecting the Object of his Journey?

A. He

A. He told me (I shall state it as shortly as possible) that it was his Intention to turn Cheit Sing's Delinquency to the Service of the Company, and he should fine him 50 Lacks of Rupees.

Q. Did Mr. Hastings inform you that he had intended to hear what Cheit Sing had to say in his Defence?

A. He did not say that he intended to hear Cheit Sing in his Defence; but on my saying, with some little Surprise, That is a very large Sum, and I rather think the Revenues of his Country are magnified in Calcutta; and upon the Production of my Statement of the Revenues which I told him I believed was a just one, he said, we will talk of it more at Benares; we will talk more on the Subject at Benares; I believe his Revenues to be much more.

Q. (*By Counsel.*) Mr. Hastings said that?

A. Mr. Hastings said that.

Q. (*By Managers.*) Whether that Resolution of Mr. Hastings to fine Raja Cheit Sing 50 Lacks of Rupees was taken prior to the Communication made by you to Mr. Hastings at Boglepore?

A. I understood it to be a Resolution made before Mr. Hastings left Calcutta, and that he had communicated the Intention to Mr. Wheeler.

Q. How long after you met him, did Mr. Hastings inform you that he had so communicated it to Mr. Wheeler?

A. I will not venture to say it was in that Conversation. I understand the Question does not mean to confine me to that Conversation. Mr. Hastings did inform me he had communicated his Intention to Mr. Wheeler.

Q. Did Mr. Hastings inform you he had communicated his Intention to Mr. Wheeler prior to the Affair at Shewallah Ghaut?

A. I believe the Communication was made the Night before, in which he also told me that Mr. Anderson and Major Palmer were acquainted with it.

Q. How long was it from the Day you met Mr. Hastings at Boglepore to the Day that you arrived at Benares?

A. I really cannot answer the Question, for I do not recollect the Day of my Arrival at Boglepore.

Q. Was it Two or Three Days?

A. It was much more than that, certainly.

Q. Had you any other Conversation with Mr. Hastings between the Time you have mentioned and the Time of your Arrival at Benares, in which Mention was made of the Ability of Cheit Sing to pay 50 Lacs of Rupees?

A. I think I had once, when we talked over my Statement of the Revenue.

Q. Do you recollect when that was?

A. It was on the Passage; but this Right Honourable Court must know it is impossible for me to recollect exactly the Day.

Q. Was it before or after he met Cheit Sing at Buxar?

A. It was before he met Cheit Sing at Buxar, for there I left the Governor General and went by Land.

Q. What passed at that Conversation?

A. I can only state it generally, that Mr. Hastings thought the Revenue of his Country to be greater than my Statement of it.

Q. What was your Statement of it?

A. The Gross Revenue at 53 Lacks; I suppose it is intended I should go into Particulars.

Q. What was the Net Revenue?

A. I should suppose that Cheit Sing's Net Revenue may certainly be stated to be above 46 Lacs.

Q. What did Mr. Hastings calculate it at?

A. I beg Pardon, perhaps I misunderstood the Question.

Q. You have stated a Conversation that passed between you and Mr. Hastings, in which you represent yourself to have stated to Mr. Hastings, that you did not think Cheit Sing of Ability to pay 50 Lacks, considering his Revenue, which you calculated at so much; Mr. Hastings stated, he thought it a great deal more; how much did Mr. Hastings think Cheit Sing's Revenue was?

A. I certainly did not state as has been now stated for me; I said, with a little Surprise, What 50 Lac! considering it as a large Sum; but I never doubted but that Cheit Sing could have paid 50 Lac, and have still kept a large Treasure.

Q. You stated you thought the Revenue magnified; to what Extent did Mr. Hastings state those Revenues to be—the Annual Value?

A. I understand the Question; but I must first correct my last Answer, because I thought I was asked what I really believed Cheit Sing's Net Amount to have been from the Country, and not what I stated it to Mr. Hastings.

Q. (*By a Lord.*) You said his Revenue was about 46 Lacks?

A. I suppose I stated it nearly the same to Mr. Hastings; but I do not exactly recollect what it was.

Q. (*By Managers.*) What did Mr. Hastings state to you his Idea to be of the Extent of Cheit Sing's Revenue at that Time?

A. I do not believe that Mr. Hastings ever stated to me his Belief of any particular Amount of Cheit Sing's Revenue; he stated generally, that he believed it to be much larger; by generally, I mean in general Terms.

Q. That Conversation you say passed between the Time of your being at Boglepore, and the Time of your meeting Cheit Sing?

A. It did.

Q. Was you present with Mr. Hastings when he met Cheit Sing?

A. I was not.

Q. Was you ever in Company with Cheit Sing and Mr. Hastings together?

A. I was not.

Q. Did Mr. Hastings ever inform you what had passed between him and Cheit Sing in the Budgerow?

A. He did.

Q. What Account did Mr. Hastings give to you of that Transaction?

A. I believe much the same as is in the Narrative; I do not immediately remember any particular Variations.

Q. How did Mr. Hastings state to you the Conversation that had passed between him and Cheit Sing in the Boat?

A. I believe as it is related in the Narrative.

Q. (*By a Lord.*) Have you any Memory of the Conversation? You referred to the Narrative as being the Substance of the Conversation that passed between you; have you any Memory, besides what you collect from the Narrative, of the Passages of that Conversation?

A. In that Conversation there were Things perhaps which passed, that are not mentioned in the Narrative; but not with respect to the Meeting of Cheit Sing in the Boat.

Q. (*By Managers.*) State that Conversation therefore; you say there is some Part of the Conversation that is not in the Narrative?

A. There was a great Part of the Conversation about the Means of seizing Cheit Sing; but with respect to the Conversation——

Q. Repeat the Conversation as near as you recollect it.

A. Mr. Hastings mentioned to me Cheit Sing's apparent Submission; his laying the Turban upon his Knees, or attempting to do it; and his Professions; his Apprehension of Sujaun Sing; and when I have said that, I believe that in general was all.

Q. You said there was some Conversation about the Manner of seizing Cheit Sing; do you recollect what that was? State the whole Conversation with Mr. Hastings.

A. It was a Conversation of two Days at different Times; really I cannot entirely give it; but we agreed in Opinion that his Professions were not real; and that to carry Mr. Hastings's Intention of the Fine into Execution, it would be necessary to secure the Person of Cheit Sing; that was after the Receipt of the Letters from Cheit Sing; that Part of it.

Q. State Mr. Hastings's Part in that Transaction; whether Mr. Hastings told you what he had said to Cheit Sing, and what he had done to Cheit Sing?

A. He told me, he had received him with Civility; that it was not his Intention to talk with him upon Business at that Time, to the best of my Recollection; and that he should hear farther from him when he came to Benares.

Q. Did he inform you that he had said any thing to him upon the Subject of the Tribute?

A. He certainly, I believe, had not informed me.

Q. Do you mean the Tribute?

A. I do not exactly recollect.

Q. Did he inform you of having made any Demand of him of any Sort whatever?

A. He did not inform me that he had made any Demand upon him.

Q. Did he inform you that he had told him he must pay 50 or 100 Lacks?

A. I believe Mr. Hastings never did mention that to Cheit Sing.

Q. Did Mr. Hastings inform you of nothing that he had said to Cheit Sing upon the Subject in that Conversation?

A. I understood that he had not mentioned any thing to Cheit Sing respecting any Fine, in his Conversation with him in the Boat.

Q. Did he not inform you what that Conversation was?

A. I have before informed the Right Honourable Court what that Conversation was, and refer to the Narrative for any thing that I have not stated.

Q. You said, in the Course of that Conversation, there were several Things that were not in the Narrative; state what those were?

A. A Thing is stated which I did not mean, which I believe the Right Honourable Court will observe; for I stated that that was a Conversation of Two Days from the Time Mr. Hastings arrived at Benares, till the Evening before I seized Cheit Sing; that is, that we talked upon the Subject, not that it was one uninterrupted Conversation.

Q. Recollect as much as you are able of that Conversation between you and Mr. Hastings in the Course of those Two Days, as far as it respected any thing of Cheit Sing and his Government?

A. Mr. Hastings mentioned how unsatisfactory Cheit Sing's Excuses had been, and directed me to forbid his coming to his Presence till further Orders.

Q. In what Particulars did he say Cheit Sing's Answers were unsatisfactory?

A. I do not recollect, nor do I suppose Mr. Hastings minutely stated to me every Answer of Cheit Sing's, or what particular Answer was unsatisfactory, but the general Tenor of the Conversation between them. Mr. Hastings mentioned to me the large Military Attendance of Cheit Sing, and spoke of it as a high Mark of Disrespect to a Governor General of Bengal, and as a very unusual Mode of an Inferior meeting a Superior in the Government.

Q. Did Mr. Hastings inform you of any Demand that he had made upon Cheit Sing to deliver up to him the Fortrefs of Bidjegur?

A. He never did; nor do I believe that any such Requisition was ever made.

Q. Did you ever see an Account of that Conversation by Cheit Sing?

A. I have not; I remember a Kind of Manifesto that came out, supposed to be written by Cheit Sing; I have not seen it since that Time, but was convinced that it was a Forgery.

Q. Why?

A. From one particular Expression contained in it; Cheit Sing mentions all the Princes of the East: Now East or West is only relative to the Place that we are standing in, and Cheit Sing never could have called himself an Eastern Prince; the Term came from us, and convinced me it was a Manufacture in Calcutta.

Q. Did you never see that Letter?

A. I have not seen it since I left India. I don't know whether I have explained myself perfectly so as to be understood.

Q. When did you see that Manifesto first?

A. I have not seen it since I was in India, and I don't recollect whether I saw it at Benares or Calcutta; I should rather suppose at Benares; it was in Persian.

Q. Are you quite sure that that Expression which you criticize upon is in the Manifesto?

A. I am clear it is in the Manifesto that I mean, and that I had translated.

Q. Have you any Copies of it?

A. Certainly I have not; I never expected to have heard of it again.

Q. Do you know if any Inquiry was ever made afterwards?

A. I never heard of it since that Time, nor do I know that any Inquiry was made; it certainly was not worth while, I should imagine.

Q. Had you ever any Conversation with Mr. Hastings upon the Subject of that Manifesto?

A. I do not recollect that I had.

Then a Paper was shewn by the Managers for the Commons to the Witnesses, and he was asked,

Q. Does that contain the Substance of the Manifesto?

A. It is a long Time since I saw it, but I believe it is nearly to that Purpose; but it is not mentioned to whom this Manifesto is sent; if you publish a Manifesto, it is addressed to all the Powers of Europe—Here (*reading*) it is, "Be it known to you all"—But why is it "to you all?"—who are "you all?"—it must be from Somebody or another—this therefore is not an entire Piece.

Q. You have been talking of a Manifesto that purported to be a Manifesto that issued from Cheit Sing, is this Paper the Paper you talked of?

A. The Substance of this Paper I believe is what the Purport of what Cheit Sing's was, or of that which was said to be Cheit Sing's; but to whom is this addressed?

Q. Whether you read Persian?

A. I have already stated, I do not; if a Persian Letter was read to me I understand it, and I could so far understand the Persian, that if the Persian was not exactly my own Meaning, I could correct it in the Hindostan.

Q. Did you read that Manifesto in the original Persian?

A. I did not; I cannot read Persian.

Q. Was it read to you in the original Persian?

A. That is more than I can say; I believe it was translated; but that it was addressed to the Princes of the East, I am confident.

Q. In your Translation?

A. Certainly. Not in the one shewn me by the Honourable Managers.

Q. You said you had a great deal of Conversation with Mr. Hastings about the Mode of seizing Cheit Sing; state what that Conversation was?

A. I stated that the Mode of seizing Cheit Sing was Part of the Conversation; at least if I did not, I wished to be so understood; I stated to Mr. Hastings my Belief, that if he endeavoured to carry any strong Measure into Execution against Cheit Sing, it would be necessary first to confine his Person, or that he would fly to his Forts, and attempt to defend himself.

Q. This is what you suggested to Mr. Hastings? what did Mr. Hastings say in the Course of that Conversation?

A. He agreed with me in Opinion.

Q. What did he say, do you recollect?

A. Why really I think that agreeing in Opinion, is as fair a Mode of answering that Question as any I know; what the particular Words were, I do not know.

Q. What did Mr. Hastings say to you that led you to give that Opinion?

A. That from the unsatisfactory Manner in which Cheit Sing had attempted to clear himself from the Charges made against him by Mr. Hastings, he was determined to carry his original Intention into Execution.

Q. What Charges did Mr. Hastings inform you he had made against Cheit Sing?

A. The Charges are in the printed Evidence, and I beg to refer to them; I believe they are in the printed Evidence; I believe the Letter which I carried to Raja Cheit Sing is in Evidence; that is the Charges I mean.

Q. Did not Mr. Hastings converse with you upon the Subject, and if he did converse with you upon the Subject, what did he say prior to the sending that Letter?

A. I read the Letter that I was to carry; I was not to argue with Cheit Sing upon it, but to bring back his written Answer.

Q. You understand the Question put to you; what Conversation had you with Mr. Hastings upon these Subjects prior to the sending that Letter?

A. Conversation with respect to his Contumacy in not furnishing the Cavalry, and his Delay in furnishing the War Subsidy of the Year before; I believe these are Points meant by the Question.

Q. Are those the only Points upon which Mr. Hastings and you conversed prior to his sending that Letter, so far as respects Cheit Sing, his Territories, his Disrespect, and his Disaffection?

A. Mr. Hastings mentioned Cheit Sing's Disrespect, as I before stated, in coming with so large an Attendance, with so large a Force to meet him; we had Conversation about the bad Police of the Town; we had Conversation with respect to the Number of Horse he had, I believe.

Q. What was that Conversation?

A. The several Points I have mentioned; but if the Question means that I should go into the Question and Answer of what passed between me and Mr. Hastings, it is impossible.

Q. What Conversation had you with Mr. Hastings as far as your Memory will serve you, respecting Cheit Sing, respecting the seizing his Person, his Territories, or any of those Subjects you have mentioned?

A. I believe I have mentioned the Subject of the Conversation.

Q. Do you recollect any other Subject than those you have mentioned?

A. I do not recollect the Subject, nor will my Memory serve me to go into the Conversation by Question and Answer, as by the Question is desired of me.

Q. Whether

Q. Whether Mr. Hastings had not determined to make Cheit Sing pay a Fine, prior to the Time Cheit Sing met him with such a Number of Attendants?

A. I have stated Mr. Hastings's Intention of fining him Fifty Lacks. Whether, upon a certain Information of what the Revenues of his Country, and what the Amount of his Treasure might have been, he would have fined him more than Fifty Lacks, a Supposition which I never heard, or that he would have fined him less than Fifty Lacks, I certainly cannot determine, as I had no Conversation with him.

Q. Whether Mr. Hastings's Intention to fine Cheit Sing was not taken prior to this Instance of Disrespect at Buxar?

A. I have frequently said so.

Q. Whether you say the Revenues of Cheit Sing are Fifty-three Lacks the Gross Revenue; and the Net somewhere about Forty-six?

A. It will be recollected that I am speaking without Pen and Ink.

Q. What was the Expence of maintaining a Body of 1,000 Horse in India?

A. I really cannot say; it would be better applied to a Military Man. I do not know. I do think I have heard Twenty-five Rupees a Month, each Man and Horse.

Q. Supposing Cheit Sing to have furnished the 2,000 Horse, and supposing him to have paid for those 2,000 Horse, and supposing him to have kept Force enough in his own Country to keep Peace and Quietness in his own Country, whether the total Demand upon Cheit Sing, in the Course of that Year, would not have exceeded Forty-six Lacks?

A. Really it is a Subject I never turned my Mind to; because I never demanded 2,000 Horse of him. I never thought upon the Subject.

Q. Whether, in your Opinion, the Demand upon Cheit Sing in that Year, and the Expence of the Establishment which he kept up, did not considerably exceed his Gross Revenue in that Year?

A. Does the Question mean the Year 1781, and at the Time that he had collected the very large Force against us?

Q. Prior to the Expulsion do you know what the Expence of his Establishment was?

A. I do not know the Expence of his Establishment.

Q. Do you know the Extent of the Demand upon him?

A. The Demand was of 1,000 Horse; that was the only Demand made upon him beside his Malguzary.

Q. (*Eya Lord.*) Was that Demand of a Part of his Establishment, or of 1,000 Horse beyond it?

A. The 1,000 Horse were only requested as what he could spare from the Establishment he had kept up for Years; and therefore I should suppose it did not exceed the Revenues of his Country.

Q. Are you sure that Cheit Sing had, in his whole Territory, 2,000 Horse?

A. By all that I could collect at the Time, and by what I collected afterwards, before the Attachment of his Person, he kept 2,500 Horse in Pay.

Q. Do you know it?

A. I believe it most perfectly.—Cheit Sing would never muster a Horse before me—and therefore I cannot know it.

Q. Had you any Means of knowing Cheit Sing kept up 2,500 Horse?

A. At the Time that I was directed to demand what Horse he could spare, I naturally inquired, as well as I could, what Quantity of Horse he had; and on the best Information at that Time that I could procure, he had 2500 Horse, or upwards: You have it afterwards, I believe, stated upon the Oath of some of his Commanders, that he had above 3,000.—I believe it is an Affidavit in the Narrative.

Q. Do you not know that Mr. Hastings did demand from Cheit Sing 2,000 Horse?

A. There was an Order from the Board, before I went up as Resident, respecting the Horse. I do not recollect what that was, but I believe I never demanded more than 1,500 Horse; and I think I recollect saying to him, "Send 1,000 with Cheerfulness, and I will do my best Endeavour that the Board shall be satisfied with that Number."

Q. Do you not know that Mr. Hastings did some way or other, or by Somebody or other, demand 2,000 of him?

A. I do not.

Q. Do you know this Fact, that General Clavering would have recommended to him to keep up 2,000 Horse; and that this was the Number he demanded: Is that Fact true?

A. I do not know it.

Q. After the Conversation that had passed between you and Mr. Hastings, you determined to arrest Cheit Sing—to seize his Person?

A. To seize his Person.

Q. He

Q. He gave you Orders to execute that ?

A. He did.

Q. You executed that Order ?

A. I did.

Q. How did Cheit Sing behave when you first arrested him ?

A. I believe I have already stated to the Right Honourable Court, and I did also state that my Report respecting it is already in Evidence.

Q. You stated in the Course of your Evidence, that Cheit Sing desired to speak with you in private, and that you had some Conversation with him; but you have not stated what that Conversation was: If you can recollect that Conversation, state it ?

A. It was Protestations of future Obedience, with the Acknowledgment of a Fault in not having furnished the Cavalry. With respect to the particular Expressions, my Report at the Time will better state them than I can.

Q. Does the Report contain the Substance of all the Conversation which you had with Cheit Sing at that Time ?

A. I don't know that that Report states all the Protestations that were made.

Q. Does it state the Substance ?

A. It states the Substance.

Q. Did Cheit Sing ever inform you, that any Demand was made upon him by Mr. Hastings of a Sum of Money ?

A. He never did.

Q. Did he ever inform you that he had given Mr. Hastings a Sum of Money ?

A. He never did;—that is, Cheit Sing never did.

Q. Did Cheit Sing ever inform you that his Buxey Saddanund had given Mr. Hastings a Present of Two Lacks of Rupees ?

A. He never did.

Q. Did Mr. Hastings ever inform you of that Transaction ?

A. He did.

Q. Did he ever inform you of that Transaction at any other Time than at the Time you have mentioned in your Examination in the House of Commons ?

A. I beg that to be read.

Q. (*By a Lord.*) Do you remember the Time that you did mention it in the House of Commons ?

A. I do.

Q. Then the Question is, Whether he ever informed you of that Circumstance at any other Time than that ?

A. If the Question means, Whether I at any other Time talked to Mr. Hastings upon the Subject, I certainly have; but I do not recollect particularly in India.

Q. You don't recollect having any Conversation with Mr. Hastings in India, except at the Time you mentioned in your Examination in the House of Commons ?

A. Mr. Hastings, in a private Conversation, said, he regretted; there was a Point upon which he was rather uneasy; it was in 1780, in Calcutta.—If it were taken down from what I said in the House of Commons, perhaps it may save Trouble.

Q. Whether you had any Conversation with him at any other Time than that you mentioned in the House of Commons, with respect to that Fact, and the Circumstances attending that Fact ?

A. That was in the Year 1780.

Q. The Conversation you mentioned in the House of Commons ?

A. Yes.

Q. Had you Conversation with Mr. Hastings upon that Subject except that Time in the Year 1780 ?

A. I had Conversation with Mr. Hastings, perhaps for Two or Three Months in the Year 1780; but I had no Conversation with him at the Time we were at Benares.

Q. Had you any Conversation with Mr. Hastings upon the Subject between the Time of your Meeting him at Boglepore, and the Expulsion of Cheit Sing ?

A. I believe not.

Q. Was any Offer made to Cheit Sing to carry that Sum of Two Lacks of Rupees to his Account in any Manner whatever ?

A. Not that I know of.

Q. You never knew?

A. I never knew.

Q. Had you any Instructions from Mr. Hastings to inform Cheit Sing that that Sum would be carried to his Account?

A. I never had.

Q. Cheit Sing never mentioned to you that Sum?

A. I believe I have answered that Question before.

Q. You have said, he behaved with apparent Submission to you during the Time of your Residency?

A. He did.

Q. Did he not shew some Instances of Terror?

A. I mentioned them in my former Examination; but they appeared to be instantly done away from his Mind.

Q. Did you use any Argument to him in order to do away that Terror?

A. I told him, that Lieutenant Scott, when he appeared with his Sword drawn, was only acting in conformity to a Custom in making a Report.

Q. Did not Cheit Sing express himself very much hurt at the Affront that was offered to him?

A. He did.—It may be construed, that I say it is an Affront by my answering it.

Q. No?

A. He did so.

Q. Did not Cheit Sing consider the Arrest as a very considerable Ignominy to him, and express himself to that Purpose?

A. The Question is rather stronger than any thing Cheit Sing ever expressed. He said, Do not hurt my Honour: What can be the Use of a Guard? But with respect to the other Expressions, I believe they are in the Report of mine.

Q. Whether the arresting a Prince in India, in the Midst of his own Dominions, is not a considerable Insult to him in the Eyes of his Subjects?

A. I do not conceive that Cheit Sing was in that Situation in which by the Question it has been thought proper to place him.—Prince varies in its Signification; but I do not suppose it was a greater Insult or Affront than William the Third arresting the Duke of Marlborough, and confining him in the Tower, and of whom we hear honourable Mention made afterwards.

Q. Whether arresting a Person of very high Rank in India is not in the Eyes of the People of India a very great Indignity?

A. I believe as much as it is in this Country.

Q. The Question is meant to be applied to that particular Country?

A. As to that, I will explain myself: There was no Indignity offered to Cheit Sing which could destroy his Cast; nor was there any Circumstance in it, that I know of, that would have incapacitated him from again resuming his former Situation.

Q. (*By a Lord.*) The Question now put to you is this, Whether the simple Arrestment of his Person without those Circumstances, according to the peculiar Stile and Manner of the Country, be looked upon as an Insult or Indignity?

A. Not further than it is in this or any other Country.

Q. (*By Managers.*) In what Light was Cheit Sing considered by the Inhabitants of the Country who held under him?

A. As a Zemindar; at least I never considered him as any other; nor did I ever hear that they did.

Q. Is it the Practice in India to appoint Residents at the Courts of Zemindars?

A. I do not know that it is a Custom, nor was I appointed to the Court of Raja Cheit Sing.

Q. Is it the Practice of the British Government in India to appoint Residents to be near the Person of mere Zemindars?

A. In this Instance it certainly was.

Q. Is it usual in India for Zemindars to have all the Powers, Privileges, and Prerogatives which belonged to Cheit Sing?

A. I believe that he was an Exception in that Respect.

Q. Had he not the whole Military Power within his Country?

A. No.

Q. Who had?

A. There was a large Military Force stationed at Chunargur.

Q. Is Chunargur within his Territories?

A. Chunargur is within his Territories.

Q. Within the Territory of Benares?

A. Within the Zemindary of Benares.

Q. Is it within the Territory of Raja Cheit Sing?

A. It is within the Territory of Raja Cheit Sing—It was, but not now, because Cheit Sing is not a Zemindar: It is a Fort garrisoned by our Troops—our Officer commanding in it, and within the Territory of Benares.

Q. Whether the Fort of Chunar was within the Jurisdiction in any respect whatever of the Raja Cheit Sing?

A. The Question is now varied; I thought it was with respect to the Situation of the Fort. The Commanding Officer had the only Power that I know of within his own Fort.

Q. Within the Fort of Chunargur?

A. Within the Fort of Chunargur.

Q. Whether Cheit Sing had not full and complete Military Authority within his own Dominions, of which Chunar is not a Part?

A. I was first asked, Whether Cheit Sing had not the full Military Authority over the Troops in the Zemindary of Benares? I stated that he had not, because there was a large Military Force in the Centre of his Zemindary.

Q. Is Chunar within his Pottah at all?

A. The Fort itself is not, but the Circar of Chunar is.

Q. Whether Cheit Sing had not the full and complete Military Authority within every Part of what was within his Pottah?

A. He certainly had.

Q. Whether he had not the complete Power of Civil and Criminal Justice?

A. It was granted to him by the Company.

Q. Whether he had not the Power of coining Money within his own Dominions?

A. That was granted him also by the Company.

Q. Whether in all those Particulars he did not stand eminently distinguished from every other Zemindar in Bengal?

A. I believe that the Company did not grant such Privilege to any other Zemindar, and therefore he did stand single and distinguished.

Q. Whether the Possession of all these Privileges and Prerogatives did not make his Subjects look up to him in a Situation something like a Prince?

A. I cannot answer that Question; because, in the first place, I must answer for all his Subjects; and in the second place, I must answer to somewhat like a Prince.

Q. Do you think the Duke of Wirtemberg any Thing like a Prince, or something like a Prince?

A. I really do not know it.

Q. You was three Years resident in that Country—Whether all those Prerogatives did not make the People in general resident in that Country consider him as the Prince of the Country?

A. He certainly had the Power of Life and Death throughout the Whole of his Zemindary, except Chunargur; and as his Subjects (they were our Subjects) were not acquainted with the Terms upon which he had these and the other Privileges, they might look up to him in a higher Light than they ought to have done.

Q. Whether the Arrest of a Person in the Situation you have described Cheit Sing to be, was not, in the Eyes of those that looked upon him as their Master, a greater Indignity than the Arrest of any other Zemindar in Bengal?

A. I cannot answer how they took this, because I never heard that they did take it so; I never heard that they did look up to him in that Light.

Q. Did you never hear that the Subjects of Cheit Sing were very much surprized and astonished, and incensed too, at the Arrest of a Person whom they looked upon as their Prince?

A. Does the Question mean by assisting in the Rebellion, by their joining him in his Rebellion?—I believe that they joined with him from the Tenure that they held under him; from the feudal Tenure they held under him, which was the same as he held under us; they looked up to him as their Chief, in the Way that he ought to have looked up to the Company as his; and therefore they afforded him that Military Assistance which he ought to have afforded to the Company.

The

The Managers for the Commons desired the last Question and Answer might be read.

The same was accordingly read by the Clerk.

Q. The Question is, What Impression this Act of the Arrest of their Prince made on the Inhabitants of the Country?

A. My Answer states, that the Effect it had was, making them join him in Rebellion; which I conceive to be the Question put about their Astonishment.

Q. Whether the Inhabitants of the Country were not very much incensed upon Account of the Arrestment of a Person whom they looked upon to be their Prince?

A. They did not express it. The only Way in which I know that they expressed their Resentment, was by joining him. The People of Benares and the Merchants there, the most considerable, did not join with him, or assist him; and therefore I do not suppose that they were incensed.

The Witness was directed to withdraw.

Then the House adjourned to the Chamber of Parliament.

Die Mercurij, 23^o Maij 1791.

THE Lords being in their Places, the House resumed, the usual Proclamations made, and the Defendant appearing at the Bar, the Lord Chancellor informed the Counsel for the Defendant, they might proceed in their Evidence.

Then Mr. Markham was again called in, and cross examined as follows :

Q. Whether you are sure that the Whole of the Demands made upon Cheit Sing in the Years 1780 and 1781, and the Sums by him paid under various Names, together with his ordinary regular Military Establishment, did not amount to a greater Sum than the Whole gross Revenue of the Country as estimated by you ?

A. I beg Leave to ask whether I understand the Question.—Whether the Malguzary paid by Cheit Sing, with the Two Lacs of Rupees that he gave to Mr. Hastings, and which Mr. Hastings used upon the public Service; the present I mean, made by Sadanund, with the Five Lacs of War Subsidy paid to Mr. Fowke, make the Question; because the Thousand Horse that were demanded of Cheit Sing did not cause an Excess in his Expence, as they were demanded as a Part which he could spare from his Ordinary Establishment. Is that the Question ?

Q. (*by a Lord*) Whether you know the Amount of the Ordinary Establishment of the Rajah, and of the Presents and Payments of other Sorts, and of the Demands that were made upon him ?

A. His Payment to the Company of his Malguzary was about 22 Lacs and an Half; there were Five Lacks that he paid to Mr. Fowke, War Subsidy; what the Expence of his Military Establishment was I do not know; on the Supposition that he had furnished 1,000 Horse, and that he paid 25 Rupees for the Man and Horse, it would be Three Lacks more, for 1,000 Horse.

Q. Whether you know what the ordinary Subsidy of Cheit Sing was ?

A. The Malguzary ?

Q. Yes ?

A. It is upon the Evidence, about 22 Lacks and an Half, or 23 Lacks, I am not certain.

Q. What does the additional Exaction, which you call War Subsidy, amount to ?

A. Five Lacks.

Q. What the Presents to Mr. Hastings amounted to ?

A. Two Lacks.

Q. What the Exchange for the Remittance of all those Sums of Money amount to ?

A. I cannot inform you.

Q. Do you not think they amounted from Two to Fourteen $\frac{7}{10}$ Cent. ?

A. The Exchange, as I Yesterday stated, varied every Day.

Q. Do you think it was ever less than Two $\frac{7}{10}$ Cent. ?

A. I do not believe it ever was less than Two $\frac{7}{10}$ Cent.

Q. Do you not think it sometimes amounted to above Fourteen $\frac{7}{10}$ Cent. ?

A. I have known Fourteen $\frac{7}{10}$ Cent. and I have known Two and an Half, which I put as
—Extremes.

Q. Whether Six $\frac{7}{10}$ Cent. be a proper Medium ?

A. The Honble. Manager is carrying me away without Necessity, for the Exchange of 22 Lacks and an Half, or 23 Lacks, is settled in the Pottah and Cabooleat of the Rajah, and therefore I refer to that for a Certainty.

Q. Whether 6 per Cent. be a fair Medium ?

A. The Fact is in the Pottah and Cabooleat.

Q. What in fact does the Remittance of Money from Benares to Calcutta cost, upon an Average, as near as you can tell?

A. I will answer the Question; that what he was to pay, was an Agreement between himself and the Company: But with respect to any other Sums, I can say more than what has been stated, which was 6 per Cent.—I should say it might be 7, or more.

Q. The Rajah having kept up, as stated in Mr. Hastings's Narrative, about 7,600 Cavalry and Infantry, what might be the Expence of such an Establishment?

A. I cannot answer the Question, for I have not a Guess at it.

Q. Whether it must not amount at least to 100,000 l. Sterling a Year, or 150,000 l.?

A. I have already stated, that I did not know the Pay of a Horseman; but that I believed it might be about 25 Rupees a Month; so that 2,500 Horse, at that Rate, would be 7 Lacks 50,000 Rupees.

Q. What did he pay his Infantry?

A. I have not a Guess what he paid his Infantry. Really, when I declare myself absolutely ignorant of the Thing, how can it be expected to draw it out of me in this Way?

Q. Having said, in your Examination in chief, that after paying his Establishment, he might lay up 11 Lacks of Rupees, it was very probable you had made some Estimate of his Establishment: but you say you do not know: Therefore, the Question in general is, if it should amount to 150,000 l. a Year, added to all other Expences, whether it would not make a larger Sum than his whole gross Revenue?

A. The Question refers to an Answer I made in my Examination in chief. I beg my Answer may be read.

The Question and Answer were accordingly read by the Clerk as follows:

‘Q. Whereabouts do you judge to have been the annual Expence of the Rajah's own Establishment?’

‘A. I really cannot at this Time recollect what I judged the Establishment to be; but thus far I recollect, that I computed that he must have saved every Year about 11 Lacks.’

Then the Witness said,

That 11 Lacks was, from his Accession to the Zemindarry to the Time that that Five Lack was put upon him; I thought I had so mentioned it.

Q. From what Source was Mr. Hastings to expect this Demand of £. 500,000 Penalty from him?

A. Upon my Statement of what Cheit Sing paid his Horse, I hope it is not understood, that I have agreed to the Statement now made by the Question; for I have not stated that Cheit Sing paid his Horse in this Way.

Q. What Resource could Mr. Hastings look to, supposing your Statement to be true, for the Payment of the £. 500,000 Demand which he meant to have made upon Cheit Sing?

The Question was objected to.

Q. (by a Lord) The Question is, suppose Forty-seven Lacks to be his Annual Expenditure, from what Fund could Mr. Hastings expect that he should pay £. 500,000 more?

A. I humbly submit that the Statement of the Honble. Manager is false; therefore I beg I may not be supposed to answer upon that Statement, which is false in my own Idea:—In the first Place, because I do not conceive the Rajah Cheit Sing immediately paid his Cavalry from his Treasury, or that he paid his Infantry so: Many of the Zemindars under him, as I understood, the Aumildars under him, were obliged to hold Horse and Foot in Readiness whenever they were called upon; and it is Part of the System throughout all India, except perhaps in our own Province.

Q. (by a Lord) Could Mr. Hastings expect he had any other Funds except his Annual Revenues—any Treasures?

A. Yes.

Q. Having said that you deny the Rajah was to pay his Horse and Foot Establishment out of his Revenue—inform the Court how you know it?

A. I think the Horse and Foot are put, by the Question, in such a Way, as if I meant the Whole of his Army. I did not intend to say so: with respect to my Knowledge of it, I can only say, in the Narrative you will find it given in upon Oath; and it was a Thing that I always understood, when at Benares, to have been the Case with the Rajah Cheit Sing.

Q. What Narrative do you allude to?

A. The Benares Narrative.

Q. What

Q. What is the Benares Narrative ?

A. I believe it is upon the Proceedings.

Q. As Resident of Benares, do you know whether Cheit Sing's Army of 7,600 Horse and Foot was maintained in the Way you speak of, and how you come to know it, and what Document you have to prove it ?

A. I really think in the Two or Three former Answers I have given, I have explained myself upon this Business. I stated that I did not mean to say, that the Whole of Cheit Sing's Army was kept up by his Aumildars, but that it was in Part ; what Part I cannot say.

Q. In what Part of the 7,600 Men ?

A. I have never said any Thing about 7,600 Men ; and I rather imagine that the Question takes that 7,600 Men from the Narrative that I have been speaking of ; if so, let the Statement in the Narrative prove the Assertion in the Narrative.

Q. Whether you know that any Part of the Army was paid by the Aumildars ?

A. I most firmly believe it ; but as to seeing it paid, or any other Way of making it Evidence, I cannot say.

Q. Can you refer to any Document whatsoever upon the Subject ?

A. I have none.

Q. Then upon what Grounds are you pleased to say that the Hypothesis which is stated is false ?

A. I said that I believed Part of these Troops were furnished by the Aumildars, therefore that Part was not paid from the Treasury.

Q. (*by a Lord*) The Hypothesis was of the Payment of certain Expences incurred by the Rajah, which you said you did not know of, and which you believed to be false ?

A. Therefore, so far as those People whom I believe were not paid by Cheit Sing went, I believe the Hypothesis to be false.

Q. (*by Managers*) What Knowledge have you of the Treasures of Cheit Sing and of their Amount ?

A. I could only go from Information I received from other People, and from hearing that Bulwant Sing had left great Treasures, and from the Supposition, that having rented the Country at a low Rate, and himself, as I have heard, a near Man, he must have laid by a large Surplus, and I believe that Cheit Sing did lay by a large Surplus, from the Time of his Accession to the Zemindary, to the Time we are speaking of ; more particularly to the Year 1778, which was before the first War Subsidy demanded of him.

Q. From whom have you received the Information you mention ?

A. I have heard it from Oufaun Sing, who had been the principal and confidential Servant of Bulwant Sing, but who was at that Time at Enmity with the Rajah. I have heard it from other People ; but I cannot specify from whom.

Q. Do you not know that Oufaun Sing was a Man of bad Character, and a great Enemy to the Rajah ?

A. That I must also speak to from Hearsay.

Q. Was his general Character good or bad ?

A. It is a delicate Question to answer, because in it I may destroy the Character of a Woman.

Q. Whether Oufaun Sing was not known to be a Man of bad Character ; was he a Man of Veracity ?

A. I believe as much so as the Natives in general of his Rank are ; his Enmity, as I have understood, to the Rajah, or the Rajah's Enmity to Oufaun Sing, I should say, was upon an Affair of Gallantry.

Q. Did you believe him, when he gave you this Account of the Circumstances of Bulwant Sing and Cheit Sing ?

I did.

Q. Was he a Man of Veracity or not ? Did you consider him as a Man of Honour and Veracity, or not ?

A. I had had a very high Opinion of Oufaun Sing, but in the after Settlement with Rajah Mehipnarrain, I had Reason not again to trust him.

Q. Whether you do not know that it is a usual Thing, that, when the Princes of the East have received from their Superiors any new Grants of Investiture, large Sums of Money have been exacted from them ?

A. I have heard that it was the Custom.

Q. And

Q. And whether you are not of Opinion, that Cheit Sing probably did pay large Sums to the Nabob and his Ministers for his First Investiture?

Question objected to.

Q. Do you know whether he did or did not pay large Sums of Money to the Nabob?

A. Cheit Sing's Investiture was very many Years before I was in India.

Q. Then you cannot swear that he did not?

A. No; I cannot.

Q. Upon the Degree of Information and Knowledge you have, whether it is not the Custom upon the Investiture of subordinate Princes by their Superior, that he should have large Sums of Money from them?

A. I believe it was the Custom.

Q. (by a Lord.) Do you know any Thing more of its being probable, except its being the Custom, or not?

A. I do not.

Q. If Mr. Hastings had demanded 500,000 l. of Cheit Sing, and he had pleaded Inability to pay it, what Mode of recovering it did Mr. Hastings mention to you?

A. I do not know that Mr. Hastings mentioned any Mode of recovering it.

Q. You say you proposed to Mr. Hastings Imprisonment as a Mode of recovering it, do you adhere to that Answer?

A. I believe I stated, that if Mr. Hastings intended any strong Measure with respect to Cheit Sing in the First Instance, he ought to be arrested, lest he should fly to his Forts, and consequently into Rebellion.

Q. Then you knew by Mr. Hastings adopting that Plan, that he did mean to use compulsory Measures?

A. I know it by a better Mode, by Mr. Hastings having informed me that he intended to take 50 Lacks.

The Managers for the Commons desired the Question and Answer touching the Mode of recovering it might be read.

The same was accordingly read by the Clerk, as follows:

Q. If Mr. Hastings had demanded 500,000 l. of Cheit Sing, and he had pleaded Inability to pay it, what Mode of recovering it did Mr. Hastings mention to you?

A. I do not know that Mr. Hastings mentioned any Mode of recovering it.

Q. Whether he did not imprison him in order to obtain it?

A. He was imprisoned—arrested;—"imprisoned" is a strong Word.

Q. Then, if he had refused to pay upon the Arrest, what other Measures were proposed upon that Occasion?

A. The 50 Lacks were never demanded of Cheit Sing.—I arrested him, and was to have returned with Instructions, as well as I recollect them, for I saw them but for a Moment, that he should send his Mutsuddies to Mr. Hastings; that he should give Orders to his Killedars to deliver up the Forts if required, I ought to have mentioned Sadanund Buxey particularly, with the Mutsuddies. There was some other Order; I will try to recollect it—I don't immediately recollect it—if I do, I will mention it in the Course of my Examination without being called for.

Q. Have you any Note of those Instructions in Writing?

A. I have not.

Q. Were they verbal, or given in Writing?

A. In Writing.

Q. Where is the Writing?

A. I really cannot say: The Disturbance in the House followed so immediately, that whether it was in my Possession or not I do not know.

Q. For what Purpose do you conceive the Order, for the delivering up of the Forts to Mr. Hastings by the Killedars, to have been given?

A. It was not mentioned to me?

Q. What do you apprehend to be the Ground of it?

A. To prevent a Rebellion, (I am stating upon Suspicion,) upon the Seizure of Cheit Sing; and I am now speaking loosely, perhaps to know what Sum of Money would have been a proper Fine upon Cheit Sing; but this was not mentioned to me.

Q. Then you was apprehensive that the Arrest of Cheit Sing would produce a Rebellion?

A. It certainly was right to use every Means to prevent one; but I am stating this from the Question put to me at this Moment; and not as the Recollection of the Idea at the Time.

Q. Pray for what Purpose was Cheit Sing arrested?

The Managers were informed that the Witness had already said, to prevent his flying to the Forts.

Q. Was that the only Reason?

A. I believe that was the only Reason.

Q. For what Reason was you apprehensive that Cheit Sing would fly to the Forts?

A. Because upon his meeting Mr. Hastings upon the River, he had carried a large Body of Men, which indicated Apprehension, or an Intention of Resistance.

Q. Do you mean to say that his Meeting Mr. Hastings with a large Body of Men, indicated an Intention to fly?

A. I state, that it indicated an Intention to resist.

Q. To resist what?

A. To resist Mr. Hastings in any compulsory Measure which he expected, as he was well aware of his own Delinquency.

Q. Had Cheit Sing any Reason to expect any compulsory Measures from Mr. Hastings?

A. He had; but not communicated to him by our Government?

Q. Do you know that?

A. I do.

Q. How do you know that?

A. I had Intelligence from a Person from Ramnagur.

Q. State the Dates.

A. I believe that it was about the Month of May, that the Rajah had received Letters from Calcutta, saying, that our Government would punish him for his Contumacy in not furnishing the Horse, and that it was intended to take Six Lacks of Rupees from him in the same Manner as they had done the Five Lacks or War Subsidy. Two Days afterwards the Rajah came over to me, and, in the Course of Conversation, asked me 'if I had received Letters from Calcutta, and 'what they mentioned.' As a Motive for his furnishing the Horse, I said, 'that they certainly considered his Conduct as very contumacious, and that he certainly would bring down some Punishment upon himself.' In the Course of the Conversation he hinted, or asked, if I had heard any Thing of Six Lacks, and if I thought it possible to buy off by a Sum of Money, both the Five Lacks, and these Six, which he understood was talked of. I knew of the Distresses of the Company at the Time, and asked him what Sum he would engage to pay; he talked of Twenty Lacks; I said, I thought it too small a Sum, considering his Riches: a Day or Two after he came as high as Twenty-two Lacks, by a Message through Sudanund; but in some Days after this, finding the Intelligence he had received not founded with respect to the Six Lacks, he broke off the Negotiation altogether. I had no Orders from Mr. Hastings to enter into any such Negotiation.

Q. Who conveyed to you that Intelligence?

A. To the best of my Recollection it was one Runnoo Sing.

Q. Who was Runnoo Sing?

A. I have heard that he was once Killedar, I believe, of Beechagur, to Bulwant Sing.

Q. What was he at the Time he gave you the Intelligence?

A. I was going to say, he was afterwards in the Service of Oofaun Sing; he had disagreed with Oofaun Sing, and was at this Time residing privately at Benares without Employ.

Q. Did Runnoo Sing state to you how he came by this Intelligence?

A. He was intimate with some one of the Rajah's confidential People; whom I never met.

Q. Did you ever communicate this Conversation to Mr. Hastings?

A. I did.

Q. When?

A. At the Time, I suppose.

Q. Did you do it by Letter?

A. Of course.

Q. Is that Letter upon your Correspondence?

A. It is not. Mr. Hastings may have the Letter.

Q. Is it upon your public Correspondence?

A. It is not; nor do I think it a fit one to be upon the public Correspondence.

Q. Why was it not fit to be upon the public Correspondence?

A. I did not think it was a fit Letter to be upon the public Correspondence; and I do not think the Honourable Manager has a Right to ask more.

Q. For what Reason was it not?

A. I do not immediately recollect the Reason at the Time; but I humbly conceive there are many Letters that may be fit for the Perusal of an Individual, which are not fit for the Perusal of the Board. I take the Manager's own Words.

Q. What was there in this Letter that made it not fit for the Perusal of your Masters?

A. It was a Thing in Idea only, and the Correspondence was immediately broken off—the Negotiation was immediately broken off between Cheit Sing and myself.

Q. Did Mr. Hastings return you any Answer to that Letter?

A. He did not.

Q. You have said that Cheit Sing broke off the Negotiation upon his being informed his Suspicions upon that Subject were groundless?

A. Of the Six Lacks? Yes.

Q. Did Cheit Sing inform you why he had changed his Opinion with respect to that Subject? what Reason he had to think the Intentions groundless?

A. I never afterwards, to my Knowledge, talked to him upon the Subject?

Q. You have stated, that Cheit Sing had Reason to expect that Mr. Hastings intended to take some Measures against him, and you have stated Cheit Sing's Knowledge of the Fact to arise from the Circumstance of the Six Lacks—now, after Cheit Sing knew or believed that that Intention of demanding the Six Lacks was ill-founded, had he any other Reason than that for supposing Mr. Hastings had intended any strong Measures against him?

A. The Knowledge of his own Fault, to my Belief, still kept the Suspicion alive—I do not know that any Thing else was communicated to him to alarm him.

Q. No other?

A. No other.

Q. Then, what Reason had Cheit Sing, when he met Mr. Hastings, or before he went down to meet Mr. Hastings at Buxar, for supposing Mr. Hastings intended any strong Measures against him?

A. It cannot be expected that I should give an Account of Cheit Sing's Reasons.

Q. Whether you know of any Reason given to Cheit Sing's Mind for Apprehension?

A. I do not know of any Reason given.

Q. Whether there was any Thing in Cheit Sing's Conduct, from the Time Mr. Hastings met him at Buxar, till the Time he saw him at Benares, which indicated, in the smallest Degree, an Intention to fly?

A. I have already stated, that I was not with Mr. Hastings from Buxar to Benares, and I do not know that Mr. Hastings did, at the Time, give Cheit Sing any Cause for Alarm.

Q. Whether you know of any Indication of Cheit Sing's Intention to fly, between the Time of meeting Mr. Hastings at Buxar, and the Time when he came to Benares?

A. I do not.

Q. Was it not in the Power of Cheit Sing to have fled to those Forts you have been talking of, either before he met Mr. Hastings at Buxar, or in the Interval between his meeting him at Buxar and his going up to Benares?

A. It certainly was in his Power to have fled then—though it was not his Interest.

Q. Was it any more his Interest to fly then, than it was to fly afterwards?

A. I think his Interest was to have staid in his Confinement, and not to have assassinated the Guard.

Q. What Time of the Day was it you carried Mr. Hastings's First Orders to arrest Cheit Sing?

A. It was before my usual Time of Breakfast—perhaps Eight o'Clock.

Q. When did you leave Cheit Sing, after arresting him?

A. I believe I have stated it in my former Evidence, it might be Ten or Half after Ten when I returned to Mr. Hastings.

Q. Did

Q. Did you see any Appearance of Danger, or were you apprehensive of any Danger during the Time you was with Cheit Sing?

A. I did not apprehend Danger because Cheit Sing's Life must have gone before my own, and that I thought was a sufficient Security for me.

Q. Several Letters passed between Mr. Hastings and Cheit Sing in the Course of that Day?

A. I believe Cheit Sing did write to Mr. Hastings with Professions which were certainly false, because Suddanund, as was afterwards certified to me, and as I had afterwards good Reason to believe, had already written for a Force, to Ramnagur.

Q. How do you know that, or do you know it at all?

A. I heard it I believe from Durbedgey Sing, and others.

Q. Why, after you had Suddanund in your Possession, did not you punish Suddanund, or enquire into that Affair?

A. I never saw Suddanund, or had him in my Possession after that Day at Shewallah.

Q. Did you not continue Suddanund in Employment under Durbedgey Sing?

A. Never.

Q. Was he not continued in it?

A. Not in my Time, nor to my Knowledge since.

Q. Was he in the Country?

A. Not while I was Resident, and I have not heard of it since.

Q. Do you know where he was?

A. He went off with the Rajah.

Q. Did you ever enquire after him?

A. I never had any Occasion, he was with the Rajah at Malva, in the Camp with Madajee Scindia.

Q. Mr. Hastings says, in his Letter to Cheit Sing, 'I have received your Two Arzies from the Hands of Mr. Markham, and understand their Contents; that Gentleman will wait on you in the Afternoon, and explain Particulars.' (a) What Particulars were you to explain?

A. The Instructions were what I have already stated; those were the Particulars.

Q. Were those all the Instructions you had?

A. I have mentioned, that there is some one, I believe of no great Magnitude, that I don't recollect.

Q. I think you said, One of the Instructions was to deliver up the Forts; and the other to send him up Suddanund and the Mutsuddies—were those all the Instructions, either written or verbal, which you had from Mr. Hastings?

A. They were. I am not certain whether the Third Order that I was to state to Cheit Sing, was not an Intention of fining him; but the Sum, I am very sure, or any Sum, was not mentioned.

Q. Do I understand you right, when I understand you to say, those were all the Instructions given you by Mr. Hastings, either written or verbal?

A. To the best of my Recollection and Belief, they were.

Q. For what Purpose were the Mutsuddies to be sent to Mr. Hastings?

A. I do not recollect that Mr. Hastings stated it—The Third, that I could not recollect, was, that Mr. Hastings had appointed Oofaun Sing Naib, until a Settlement was made between Mr. Hastings and the Rajah.

Q. Do you, or not, know that Oofaun Sing was a Man particularly obnoxious to the Rajah Cheit Sing?

A. I believe he was obnoxious to Cheit Sing.

Q. Whether the Appointment of the Naib under Cheit Sing was not an Appointment purely in Cheit Sing's Power?

A. Not when he was in Confinement.

Q. Whether the Appointment of Naib in general, was not an Appointment purely in the Power of Cheit Sing before you arrested him?

A. It certainly was in his Power; but I don't know that he ever had a Naib.

Q. Do you mean to say, that Cheit Sing has never had a Naib?

A. Not unless it was Oofaun Sing, when Cheit Sing was first appointed, when Rajah Cheit Sing was a Minor.

Q. Whether the Naib is not the Administrator of the Whole of the Government of the Country ?

A. There was no Man so denominated while I was Assistant or Resident at Benares till this Appointment ; and as Cheit Sing was in Arrest, a Naib was appointed, that the Affairs of the Zemindary might not fall into Confusion.

Q. Then, was there any Intention of keeping Cheit Sing any Time in this Confinement ?

A. Not that I know of.

Q. Then, why was it necessary for the Appointment of the Naib ?

A. To carry on Government, even if it had been but for a Day ; or it must have been an Anarchy.

Q. Then you state, the Arrest of Cheit Sing must have necessarily reduced the Government to an Anarchy, unless another Governor was in his Place ?

A. We must come to the Meaning of the Word ' Anarchy ; ' I meant it only, that being no Governor, there could be no Government.

Q. Then, you are understood to state, that the Arrest of Cheit Sing destroyed the Government of the Country ?

A. Every one looked up to Cheit Sing, as the Person who was to receive the Collections ; and it was necessary there should be some one Person in that Place till he should be released.

Q. What is the Office of Naib ?

A. I believe the Meaning is, Deputy.

Q. Do you not know that Cheit Sing was particularly apprehensive of this Appointment taking place, prior to the Time he met Mr. Hastings, or prior to the Time Mr. Hastings arrested him ?

A. I do not know that he was apprehensive of that Appointment taking place in the Person of Oosaun Sing.

Q. Do you, or not, know whether Cheit Sing expressed to Mr. Hastings his peculiar Apprehension on that Subject ?

A. I know that he was apprehensive of Oosaun Sing ; but I do not know that he ever expected he should be put into such an Appointment.

Q. What was the general Character of this Person, whom Mr. Hastings appointed Deputy in Benares ?

A. He was considered as well versed in the Collections of the Country, attached formerly very particularly to the Rajah, but Disagreements had happened between them with respect to the Rajah's own Family.

Q. What was the general Character of Oosaun Sing in the Country ?

A. I said that he was considered as a good Collector ; I believe able in the Collection.

Q. What was the general Character, was it good or bad ?

A. He was characterized as the Father of the Rajah, if I must say it, and they disagreed ; and it was on Account of an After-intrigue with the Mother, as I understood, that the Disagreement happened.

Q. Was his Character good generally or bad ?

A. I never heard of any Thing bad against his Character at this Time ; I afterwards learnt from Mr. Hastings, that he impeded the Settlement with Rajah Mehpnarian, for which Reason Mr. Hastings sent him to his Jaghire at Sydepore ; I never heard any Thing further against his Character.

Q. Whom did Mr. Hastings appoint to succeed to the Rajahship of Benares, after Cheit Sing fled.

A. Rajah Mehpnarian.

Q. Whom did he appoint Naib ?

A. The Father, Durbidjey Sing.

Q. Why was not Oosaun Sing first appointed ?

A. I have stated already, that he was appointed immediately after the Arrest of Cheit Sing.

Q. But, after Cheit Sing fled ?

A. I do not recollect that he was ; but I imagine it is a Matter of no Consequence.

Q. Was he not appointed ?

A. I do not recollect that he was.

Q. At what Time, and when, did Oosaun Sing impede the Settlement with Rajah Mehpnarian ?

A. At Benares ; after the Troubles were over.

Q. In

Q. In what Manner did he impede that Settlement?

A. Mr. Hastings was assisted principally by Mr. Anderson in that Settlement; and I do not know the Particulars.

Q. Do you know any Thing of the Difference between Oosaun Sing and Mr. Hastings, upon the Subject of an alleged Promise from Mr. Hastings to him, that he should succeed to the Rajah?

A. I never heard it; nor do I believe it.

Q. Did Oosaun Sing accompany Mr. Hastings from Calcutta?

A. He did not.

Q. What Time did he arrive at Benares, prior to the Arrest of the Rajah?

A. Oosaun Sing's Jaghire and House were about 11 Cois from Benares where I believe he had always resided, from the Time that I was First Assistant, to the Time we have now been speaking of.

Q. Was he not at Calcutta at or about the Time Mr. Hastings left it?

A. He certainly was not—I think.

Q. I think you said, you went to Mr. Hastings about 10 o'Clock in the Forenoon, and were to return in the Afternoon; in the Interval between those Periods, the Riots at Shewallah Ghaut happened?

A. Yes.

Q. You sent the Chubdar to Cheit Sing with a Message?

A. I stated, that I was not sure whether Mr. Hastings gave the Message, or whether I gave the Message, or whether we did not both of us speak to the Chubdar.

Q. Had that Chubdar ever been in the Service of Cheit Sing?

A. Not that I know of.

Q. Do you know what passed between the Chubdar and Cheit Sing?

A. I understood that he delivered the Message given to him, and that the Rajah turned round quickly, saying, 'Who am I? and who are you?' The Chubdar putting his Hands together, said, 'You are Rajah Cheit Sing: I am only Cheit Ram.' At which Instant the Firing began on the outside.

Q. Did no Body strike the Chubdar?

A. Does the Question mean—kill him?

Q. No;—strike him.

A. Not that I know of;—he was killed.

Q. Whether, from every Information you have been able to collect, upon giving that Answer, Cheit Ram was not immediately struck by some Body?

A. I believe that he was pushed from the Rajah. I believe there is some Affidavit states, that he was pushed from the Rajah; but by every Account that I heard, I believe myself, the Massacre at Shewallah Ghaut was not in the least occasioned by the Message delivered by the Chubdar.

Q. Who were by and in the Room with the Rajah, at the Time this Message was delivered, as far as you have been able to recollect?

A. The Rajah, as I understood, was on the Outside, and not in the Room.

Q. Wherever he was, who was with him?

A. Mr. Stalker was with him, or was near him; and who else I do not know.

Q. What Natives were there with him?—Do you know?

A. Does the Question mean within the Wall?

Q. Yes?

A. There were most of the Servants, or all the Servants of the Rajah that I had left there with Orders to be pushed out; Munnihar Sing, and Nunkoo Sing, I understood, had been admitted. Mr. Stalker's Moonshy was there, the younger Moolavy, and others whom I do not know, and whom I do not recollect.

Q. Who began the Affray?

A. The Rajah's Forces, on the outside of the two Walls.

Q. Was there no Affray began on the inside.

A. Not till it first commenced without.

Q. Were those Forces regular Troops?

A. I mean regular Troops.

Q. Were those Troops in a Situation to see the Rajah, and to see what passed within?

A. It was impossible.

Q. What became of Nunkoo Sing ?

A. Nunkoo Sing fled with the Rajah, and afterwards, upon the Amnesty being published, was returning with Mr. Hastings's Passport, got through Rajah Govindram, to Benares. The Commanding Officer at Chunargur, hearing of his coming with some little Force, sent a Detachment to Mirzapore, which alarmed Nunkoo Sing, and he went away; he had afterwards Assurances, that this was by Mistake.

Q. Then, he came back ?

A. I do not recollect whether he came back upon that or not. I do not recollect seeing him; but he had my Perwannah to come back.

Q. Whether Nunkoo Sing ever was examined, or any Enquiry ever made of him, respecting the Commencement of this Affray ?

A. I never saw Nunkoo Sing, nor do I know that he was ever at Benares afterwards.

Q. Did you make any Attempt to have Nunkoo Sing examined, with respect to the Particulars of this Affray, which happened at Shewallah Ghaut ?

A. It was impossible I should.

Q. Why was it impossible ?

A. Because I never saw Nunkoo Sing, nor do I know that he was ever in our Territories after he left Mirzapore.

Q. Did not Captain Blair desire you to permit him to take Nunkoo Sing ?

A. I do not recollect that Captain Blair did, but Colonel Blair did attempt the Thing himself, upon which I represented his improper Interference to the Board. There was an Altercation between us, and I wrote a Letter to the Board upon the Occasion.

Q. You are understood to say, you never made any Attempt whatever, to have Nunkoo Sing examined respecting the Particulars of this Affray that happened at Shewallah Ghaut ?

A. I certainly never did, nor was it from my Motion that any one Affidavit was taken.

Q. At whose Motion were the Affidavits taken ?

A. I can only speak from Hearsay.

Q. At whose Motion ?

Question objected to.

Q. Who wrote that Narrative, or what is called the Narrative ?

A. I have always understood it to be written by Mr. Hastings.

Q. Do you know any Thing of the Composition of the Narrative ?

A. If the Question means, whether I wrote any Part of it, I did not.

Q. Was you present when the Affidavits for the Narrative were collected ?

A. I was not.

Q. Had you any Conversation with Mr. Hastings respecting the Composition of that Narrative ?

A. I had not.

Q. Was you at Benares at the Time that it was composed ?

A. I really cannot say at what Time Mr. Hastings wrote it, whether at Chunar or at Benares.

Q. Was you there when the Affidavits were taken ?

A. I was at Benares and at Chunar.

Q. Do you know a Person of the Name of Govind Ram ?

A. I know Three or Four Persons of the Name of Govind Ram ?

Q. Whether you know a Person who came to Colonel Gardner from Cheit Sing, after his Fault, to desire him to desire you to apply to Mr. Hastings ?

A. I do not know whether it was Rajah Govind Ram, whether it was Govind Ram, the Brother of Beneram, or whether it was a Merchant named Govind Ram.

Q. Do you know of any such Application ?

A. I do not recollect, but I have no Doubt, but that as Major Gardner has stated it, that he did make the Application to me, because I at this Moment feel that I should have made the same Answer that I did at that Time.

Q. Do you remember the Conversation that passed ?

A. I do not, I should suppose therefore it was no long Conversation. ' How could you apply for the Murderer of your Friend ? ' That was what I then stated to Major Gardner, and what I now feel.

* Q. Do

Q. Do you know of any Applications that was made by Cheit Sing to Mr. Hastings, for Pardon or Forgiveness?

A. I believe that there were, but they never came through me.

Q. Do you know any Thing of them?

A. No further than hearing of them at the Time, and that there are Letters to that Purport in the Narrative.

Q. How long did Mr. Hastings stay at Benares after the Affair of Shewallah Ghaut?

A. I do not recollect how long Mr. Hastings staid at Benares or at Chunar.

Q. After the Affair at Shewallah Ghaut?

A. The Affair of Shewallah Ghaut happened on the 16th, and I believe we left Benares the 21st.

Q. Whether it was not in Cheit Sing's Power to have cut off Mr. Hastings and his whole Party, any Part of those Four Days, if he had been so inclined?

A. His Inclination I had no Doubt of.

Q. Was it in his Power?

A. Whether it was or not in his Power, the Event would have justified—it was not attempted because he could not cross the River with his Guns.

Q. For what Reason did Mr. Hastings leave Benares?

A. Because we had certain Intelligence that he had intended it, I believe, on the 19th, and that he did intend it on the 21st.

Q. Intend, what?

A. Intending an Attack upon the Resident's House, where we were.

Q. What Amount was collected from Benares during the Years 1781 and 1782. The total Collections, if you recollect?

A. That is, from the Appointment of Durbedgy Sing as Naib, to his Dismission from the Office, he collected 36 Lac 40 odd Thousand Rupees.

Q. Do you mean Nett or Gross?

A. Nett.

Q. How much did Jagger Deo Sing collect?

A. I have not answered the First Question; but he had let some Aumils to his Son, the Rajah, who owed him 1,50,000 Rupees, and his Brother Serraub Cheit Sing was likewise indebted to him 1,80,000 Rupees, besides the Duties that he collected from the 26th April 1782, to the Conclusion of the Year, which I estimated.

Q. What did you estimate it at?

A. I remember, I estimated what would be the probable Amount of the Duties, at the Rate of Three Lacks a Year; this was only Four Months in the Year, so I should only rate it at one Lack. But then it must be recollected, that in this Year, Mr. Hastings had remitted to the Country 6,66,666 Rupees, upon Account of Pymally, and the Lateness of the Season at which Durbedgy Sing took it.

Q. How much was collected under Jagger Deo Sing?

A. Jagger Deo Sing was appointed in the Month of November, and I left Benares in the April following, therefore I cannot state it.

Q. What was the Expence of the Resident's Office at Benares?

A. I do not understand the Question.

Q. What was the Expence attending the Resident's Office at Benares?—Was not the Expence of the Resident's Office paid by the Rajah?

A. No.

Q. Was not the Resident of Benares in Possession of the Monopoly of Opium before you went there.—The Resident prior to you?

A. If the Question intends to ask me any Thing with respect to myself privately, my private Interest, I submit whether I am obliged to answer.

Q. The Resident prior to you?

A. I believe he was.

Q. What was the annual Value of the Monopoly of Opium?

A. Mr. Fowke never communicated to me what his Advantages were, and I do not mean to state any Thing relative to myself in private Transactions.

Q. Do

Q. Do you know it at all?

A. If it is declared the Question is not meant to examine me upon any Advantages, which perhaps were not exactly according to the Letters of the Order of the Company, I shall have no Objection to answering the Question; but I believe I need not answer any Question which may tend to criminate myself.

Q. The Question here is, whether you have any Knowledge of the Profit made by Mr. Fowke, of the Opium?

A. I do not know.

Q. Do you not know what the Value of the Monopoly of Opium was to the Resident, that went either before you or after you?

A. I believe that in that Country there was made about 475 Chests of Opium, and I believe that each of those Chests cost above 200 Rupees.

Q. What did they sell for?

A. I really do not know.

Q. Of your own Knowledge?

A. I do not know.

Q. Then, you do not know what Charge the Manufacture of Opium was upon the Country of Cheit Sing?

A. I should rather imagine it was a Benefit to the Collection.

Q. Had not the Resident at Benares the Monopoly of Saltpetre?

A. Is the Question asked with respect to myself?

Q. Do you know whether Mr. Fowke had the Monopoly of Saltpetre?

A. I believe he had.

Q. Do you know any Thing of it?

A. No, I do not.

Q. Had Mr. Fowke any other Emoluments from the Country, except the Monopoly of Opium and Saltpetre?

A. I do not know that he had.

Q. Was you not sent to Nuddeah by Mr. Hastings?

A. I was.

Q. Do you know a Person of the Name of Sherap Salla Cawn?

A. Mr. Hastings's Moonshy had nearly that Name.

Q. Was he at Nuddeah at the Time you were there?

A. He was.

Q. Did he go before or after you?

A. I really do not recollect.

Q. For what Purpose were you sent to Nuddeah?

A. To bear Testimony to the old Rajah's making over all Rights to his Son. But I beg Leave to observe, that this was before I went up to Benares as Resident, and while I was private Secretary to Mr. Hastings.

Q. Whether you know any Thing of a Bond, or a Sum of Money, or a Teep, that was given to Mr. Hastings by the Rajah of Nuddeah?

A. I do not.

Q. Was you ever told of such a Thing, by Mr. Hastings, when you was at Nuddeah?

A. I was not told by Mr. Hastings.

Q. And you know nothing of the Gift?

A. And I know nothing of the Gift.—I was not told by Mr. Hastings, or Shuddeadoolat Khan, and I know nothing of the Gift.

Q. For what Purpose was Shuddeadoolat Khan sent up to Nuddeah?

A. I do not know, nor do I believe it was mentioned to me.

Q. Was you with Mr. Hastings at Chunar?

A. I was, in 1781.

Q. Was you there when the Vizier was there?

A. I was. I visited the Vizier with Mr. Hastings.

Q. Do you know any Thing of a Sum of Money of 100,000 l. that was given to Mr. Hastings, by the Vizier, at that Time?

A. I do not.

Q. Do

Q. Do you know any Thing of that, or some such Sum of Money, being given to Mr. Hastings, or about that Time?

A. I never did hear of any such Thing till it became public, and I understood that the Money was converted to the Use of the Company.

Q. Do you know any Thing of a Sum of Money that was paid to Mr. Hastings from Dinag-pore?

A. I do not.

Q. Do you know of a Plan for establishing a Committee of Revenue at Calcutta, that was carried into Execution by Mr. Hastings?

A. I do recollect there was such a Thing.

Q. Whole Plan was it?

A. While I was Mr. Hastings's private Secretary, and as far as I can recollect such a Thing at this Time, I believe it was Mr. Hastings's Plan.

Q. Do you, or do you not know that it was Gungo Govind Sing's Plan?

A. I do not know that it was Gungo Govind Sing's Plan, though the Idea might originally have come from him to Mr. Hastings.

Q. Do you know, one Way or the other, whether that Plan was originally suggested by Gungo Govind Sing,—Aye, or No?

A. I translated from Gungo Govind Sing, an Account of the Revenue of the Country; and that I believe I may state is all I know about it.

Q. Do you know whether that Plan was originally suggested by Gungo Govind Sing, or not?

A. I say I translated it from Gungo Govind Sing; not from Gungo Govind Sing's Writing.

Q. Did you translate the Plan?

A. I did not.

Q. Do you not know whether Gungo Govind Sing did, or did not originally suggest that Plan?

A. I do not recollect that Mr. Hastings, or that Gungo Govind Sing, ever told me, 'this is Gungo Govind Sing's Plan,' or that 'this is my Plan;'—but certainly Gungo Govind Sing was employed in this Statement of the Revenue.

Q. What was the Reason of Durbedgy Sing's Imprisonment?

A. Because he was a Defaulter in the Revenue due to the Company.

Q. By what Authority was he imprisoned?

A. I believe there is an Expression in one of Mr. Hastings's Letters, now in Evidence, saying, 'You will take Care he does not run away;'—seizing his Person was from myself; the Seizure of his Person was done by my Order.

Q. At what Time did you receive that Letter from Mr. Hastings?

A. I believe the Honourable Manager can give me the Date.

A Paper was shewn to the Witness; and he said,

The 29th September 1782.

Q. At what Time was the Letter wrote by you, to which that was an Answer?

A. September 29th must have been a wrong Date, I should think;—I am not sure though.

Q. (*by a Lord*) Have you any other Knowledge of it, than what appears from the Date of the Letter already in Evidence?

A. No, I have not—but I suppose there is some Letter of mine to which it replies, but I did not act then—not till the 12th of November.

Q. (*by Managers*) In consequence of what Intimation from you did Mr. Hastings write you that Letter, and when did you give him the Intimation?

A. I acquainted him generally with what passed in the Zemindary, and must have stated to him the Losses that would have accrued to the Company—I do not see any such Letter upon the Boards.

Q. When was that Letter written, as near as you can recollect?

A. I cannot say; I wrote several Letters to Mr. Hastings upon the Occasion, which I will read.

Then the Witness produced several Papers, and said:

This is a Letter without a Date, it is indorfed 'Mr. Markham, Benaris, May 1782;' neither of these I believe are the Letters to which that Answer refers, but these are Complaints.

Then the Witness read, as follows : *

" My Dear Sir,

" I am at last reduced to the Necessity of troubling you, on a Business in which, I hoped for some Time, my own Influence might have prevailed. I could not well mention the Subject to you before, as I was apprehensive only of what has since proved a Reality. Complaints without Number, arrive daily, of the Oppressions committed by Durbeetzy Sing's Aumils.—My Representations to him have not the Effect I wish; for though he redresses, perhaps, particular Grievances, the general Evil remains unremedied.—I have not, as yet, been able to penetrate the Motives which actuate his silent Approbation of the oppressive Conduct of his Aumils. He either intends to continue as Naib no longer than to the End of the Year, or apprehensive of Offan Sing (who has impudently suggested, that he will soon have the Management of the Country,) wishes to accumulate a private Hoard of Independence, in the Event of such a Revolution.

" You will, I hope, my dear Sir, see the Necessity of writing strongly to him upon this Subject, in the same Light that I do. The Country as yet is not hurt by these Exactions; but if they are not immediately put a Stop to, Durbeetzy Sing will next Year fall in Arrears. The People of Benares, who are by no Means his Friends, wish to aggravate his Misconduct as much as possible. I wish to be impartial; and think that a Letter, expressing your Knowledge and strong Dislike to the Oppressions of his Aumils, will answer every Purpose.

" I beg you will likewise desire him to pay his Kists more regularly;—he never pays the First till the Second becomes due. I thought, for a few Months, that this might proceed from Inability, and wished to favour him as much as lay in my Power. He has now a large Sum of Money by him; and that Plea ought not to be admitted. I have pressed him to adopt regular Payment;—he as regularly promises, but never thinks afterwards on the Subject, till I see or write to him. He is beyond Expression dilatory in Business.

" I am,

My dear Sir,

Your much obliged,

Obedient Servant,

" William Markham."

" My dear Sir,

" Benares, June 19th, 1782.

" I sometime ago wrote you a Letter, informing you of the Oppressions committed by the Aumils on the Riots, and that I had too much Reason to think by the Approbation of Durbeetzy Sing. I have used every Endeavour to put a Stop to Measures so contrary to the Interests of both the Company and the Rajah, but with little Success:—The Naib appears convinced of the Truth of my Representations, promises Redress, but in the End performs nothing. Of Two hundred Arzees complaining of the most unjust Exactions, which have been presented to me, and which I sent to the Naib for Redress and Enquiry, Six or Seven only have been attended to.

" His Avarice and Want of Knowledge in Business have induced him to select the most improper Men for his Aumils, such as have been in low Stations, unacquainted with the Country, and who could not, from the low Estimation in which their Characters were held, get any Man of Credit to write their Security for them. He has committed the Purgunnahs, Zemineah, Baddowee, Choulah, Karakut, and Servinoo, to the Hands of Babboo Zallum Sing, a Man who only Three Year * ago fled the Country, carrying with him a Lack of Rupees, the Property of his Nephew, the late Rajah. This Man a Fortnight ago confined and corporally punished Two Men who had complained to me of his Exactions, and who carried back Durbeetzy Sing's and my Perwannahs, for Justice to be done to them. Sunkeer Rutton in Pur, Meviow Bugwant Roy in Sydeabad, Boniade Sing in Khurnda, have been equally oppressive; and as I imagine you will write to the Rajah most fully on this Subject, I hope you will mention the above Names to him as People in whom you think he ought to place no Confidence.

* Sic in Orig.

" I wish to God I could convince Durbeetzy Sing of his true Interests. He has promised to accompany me in a Tour to Mahommedabad, (to which Place I am going, to establish a new Manufactory of Cloaths), and thence crossing the River to return by Choulah and Zemineah—As these are the Countries most oppressed, I will endeavour to point out to him the impolitic Severity of his Aumils, and the Misery of his Riots, and that Moderation and a strict Regard to Justice must turn to his Advantage. But I too much fear that he is like the deaf Adder, will not listen to the Voice of the Charmer.

" Whether Success or Disappointment shall attend this Attempt, I shall have the Satisfaction of having done my Duty.

" You will ask, perhaps, why I did not sooner acquaint you of the State of the Country—The Ryots could not feel the Weight of these Oppressions, until the Rubbee Harvest was cut, and did not bring their Complaints before me till Three Weeks or a Month ago; nor did I believe that he could have formed this Rack-renting System, till I saw him evade doing Justice to the Petitions of his Ryots, though backed with my Representations, by intentional Delays.

" Unless

" Unless, my dear Sir, you think my Presence absolutely necessary at Benares, I wish to have your Permission to visit Calcutta for Five or Six Days. I mean to go and return by Dawk, and to be absent at most but Thirty Days. My private Affairs really require my Presence; it is not a Scheme of Marriage or Idleness, I assure you.

• • " The Rains set in on
the 16th very favourably.

I am, my Dear Sir,
Your much obliged,
Obedient Servant,
" W^m Markham."

Then the Witness was asked,

Q. What Answer did you receive to this Letter?

A. I have got an Answer in my Pocket, it is dated ' Fort William, July 15, 1782,' from Mr. Hastings.

Then the Witness read, as follows :

" Dear Sir, " Fort William, July 15th, 1782.
" I have lately received Two Letters from you, in which you inform me that the Aumils employed by Doorbijey Sing have been guilty of great Oppressions upon the Ryots; that he, so far from restraining, has connived at their Irregularities, and that he is himself, to the last Degree, remiss and indolent in discharging the Duties of his Office. To the first of these Letters I deferred sending an immediate Answer, from the Apprehension that, were I to take that Notice of his Conduct which, from your Representations, it seemed to merit, I might probably lessen his Authority, and afford him a Pretext for the future Breach of his Engagements. Under this Idea, I contented myself with representing to his own Vakeel the very great Impropriety and evil Tendency of his Conduct, and hoped that when, through this Medium, he should become acquainted with my Sentiments, Prudence, if not Justice, would have taught him the Necessity of amending his Behaviour. Your last Letter however has convinced me, that these Hopes were fallacious: The very Language indeed in which your Complaints are conceived, have impressed my Mind with so clear a Conviction of their Justice, and of the Necessity of redressing them, that I have thought it proper to write to Doorbijey Sing the Letter, of which, for your Information, I enclose you a Copy. You will there learn the Displeasure I have expressed at the Oppressions under which the Ryots are suffered to labour, and the Means I have directed for bringing to Justice the Men whom you have pointed out as the principal Authors of their Distresses. It is possible that the same Motives which first led him to select these Men, may now induce him to support them, even in Disobedience to my express Commands. If this should prove the Case, or if he should not carry them into Execution within One Week after the Receipt of my Letter, it is my positive Order, that you cause Babboo Zalum Sing, Sunker Rutton, Bugwant Roy, and Boniade Sing, to be brought to Benaris;—that you give Notice thereof to the Naib, and require him to appoint Three Persons of Ability and approved Integrity, to inquire into their Conduct; yourself appointing Two Persons of the like Description for the same Purpose: That in case of his Refusal or Neglect to appoint Persons for such Investigation, you do yourself nominate Five Men of Ability and Integrity, with Power to hear and examine the Complaint of the Ryots against the Aumils above-mentioned, and that you do transmit to me, as speedily as possible, a State of their Proceedings, keeping at the same Time the Persons of the said Aumils in Confinement, in order that they may not evade the Judgment which shall be passed upon them. And to prevent any Prejudice, or the possible Pretence of Prejudice, to the Revenues from the Execution of these Orders, I desire, that you will call upon the Naib to appoint proper Persons for holding the Employment of the said Aumils during their Absence from their respective Districts; and if he shall neglect so to do, I then desire that you will, yourself, select and nominate proper Persons for that Purpose. Hitherto, though I have expressed my Disapprobation of the Naib's Conduct, I have forbore to make him an Object of that Rigour with which I have thought it right to treat his Servants: I am willing to have Patience with him, and to make every Allowance for the Novelty of the Situation in which he is placed, and for the Difficulties which may attend it; but if I perceive in him a wilful Neglect of my Advice, and an obstinate Adherence to that System of Conduct, against which, I find, you have so often warned him, he shall certainly feel the most severe Effect of my Displeasure.

" Having thus attempted to remedy the Evils of which he is the Author, I must not neglect those of which he complains: I have lately received several Papers from him, all tending to prove the Misconduct of Captain Baker, when sent to apprehend the Murderers of Durnoo Dooby. It appears, that instead of attempting to apprehend such only of the Kofucks as were guilty of the Offence,—he first made a general Attack upon all who resided in the Village of Burrogong; and when he had subdued them, with as little Discrimination, and as it is alleged, for his private Emoluments, set them all at Liberty, and again restored them to their Possessions.

" Remembering the Conduct of Captain Baker upon a former Occasion of this Kind, I flattered myself that he would never be again employed in any Service which might give him a possible Pretence for interfering in the Affairs of the Zemindary. If he is not yet recalled, I request that

that he may be, without a Moment's Delay ; and that you will apply for that Purpose to Colonel Blair. I desire you will consider it as your Duty to prevent all Officers employed for the Purposes of enforcing the Collections, and maintaining the Rajah's Authority, from going beyond the express Line which their Duty prescribes to them.

" The Detection of a few Murderers seems to have created almost as much Inconvenience as would have arisen from their Impunity. My Orders were explicit, and known, I thought, as well to you as to the Naib. Three People were, by Name, pointed out to me as the Murderers of Dhurmoo Dooly, and I directed that those, and no others, should be brought to Punishment. Pray let me know what has been done in this Business, and state to me particularly, the Conduct of Captain Baker whilst employed in it.

" The Business which this Letter will impose on you, may, I hope, be soon concluded ; and if your private Concerns shall then call you to the Presidency, you have my Permission to visit it ; but if those of the Zemindary furnish the only Motives for your Journey, I could wish you to remain at your Station of your public Business ; I will, myself, be the Agent, and though it is true that many Affairs demand my Time and Attention, those of Benaris shall not be neglected.

" I am, dear Sir,
Your most obedient
Humble Servant,
" Warren Hastings."

Then the Witness was asked,

Q. Whether those Letters have been registered in the Office of Resident ; either the Letters received or the Letters sent ?

A. They were not entered, either one or the other.

Q. Why were they not entered in the Books of the Resident's Office ?

A. Really I cannot give a Reason at this Time.

Q. Did you ever lay them before the Governor General and Council ; or whether you ever heard they were laid before the Governor General and Council ?

A. I did never hear those particular Letters, which I have read, were laid before the Governor General and Council.

Q. What did you do with regard to the Order in Mr. Hastings's Letter, relative to the enquiring into the Conduct of those Aumils, and the Report Mr. Hastings desired you to make in consequence of that Enquiry ?

A. The Aumils were secured, and Four People were appointed, as well as I recollect, to enquire into the Oppression, but I believe the Letter I wrote upon that Subject is in a Letter Book, not as yet printed, but in the Hall.

Q. What was the Result of the Enquiry made ; who were the Persons who were named to enquire ?

A. I really do not remember the Names of the Persons, but they are mentioned in that Letter.

Q. What was the Result of the Enquiry ?

A. That they were guilty in general of the Oppressions complained of. The Letter is here I believe.

Q. What Judgement did they give ?

A. I believe I stated that they were generally guilty. There were 200 Arzees or Petitions from those Ryots : I will not venture to say they were convicted upon every one of those, but in general the Complaints were well founded.

Q. There were a great many Complaints, and they were convicted of a great many of them : Is that what you mean ?

A. Yes.

Q. They were convicted of some of them ?

A. Of the greater Part of them.

Q. Where is the Record of that Conviction ?

A. I really cannot tell, but very probably in the Resident's Office at Benares ; but I really do not take upon myself to say where it is.

Q. Where are the Proceedings upon which they were convicted, to be found ?

A. I really cannot inform you.

Q. Whether they were ever transmitted to Mr. Hastings, according to your Recollection ?

A. I really do not recollect.

Q. Whether the Charges against Durbidgy Sing himself specifically, were enquired into ?

A. He was arrested for Nonpayment.

Q. Whether

Q. Whether the Charges against Durbidgy Sing himself specifically were enquired into?

A. Does the Question mean, enquired into by myself or Mr. Hastings?

Q. By any Body?

A. The Things I complained of, were Things in my own Knowledge.

Q. Were there any other Charges against him, but that of being a Defaulter?

A. And his encouraging those People in their Oppression, and not punishing them for those Oppressions, and in general, for an Attempt to rack-rent the County;—those I knew, those I myself knew.

Q. Then, you was the Witness against Durbidgy Sing, that you knew he rack-rented the Country—How did you know it?

A. Because I was in the Country: I had Information of it, which I gave Credit to; and I afterwards found it to be so from Durbidgy Sing's own Papers, and from my Enquiry among the Aumils.

Q. What do mean by rack-renting the Country?

A. I call it Rack-renting the Country, when Mr. Hastings, as I have stated, had remitted 6,66,000 Rupees to it; and that Durbidgy Sing should attempt to draw the whole Rent that the Country ever paid, and which it was not in a Condition, on Account of the Disturbances in 1781, to afford.

Q. Did you produce to any Person, any Proof of those Allegations?

A. I don't know—I can produce it now if it is wished.

Q. Did you, at that Time, produce those Documents to any Person?

A. I did not produce those Documents; for though I was myself convinced of them, and had them from Durbidgy Sing's Papers, they were not, at the Time I went down to Calcutta upon my private Business before my Recall, in such Forwardness that I should be able to send them down.

Q. Were they ever communicated to Durbidgy Sing, and his Answer called for in Writing?

A. When he was dispossessed of the Naibut, of his Office as Naib, I did not certainly press him with further Accusations; I did not wish any Punishment upon him for them—and to get the Money due to the Company was my only Object.

Q. Did you get those Papers previous to the Imprisonment of Durbidgy Sing, or subsequent to his Imprisonment?

A. At the Time of his Arrest.

Q. You seized the Papers subsequent to the Arrest?

A. His Mutsuddies brought them to me, as they were directed to do, and my Moonshy sat with his Accountant to draw out those Papers.

Q. Whether it was previous to the Arrest, you was furnished with those Matters of Accusation, or afterwards?

A. Those Papers, which I considered as the Proof of what I before believed, were subsequent, as I believe the Court understands, to the Arrest.

Q. Under what Authority, and by what Authority or Power of Office vested in you, did you arrest Durbidgy Sing, and put him into Confinement?

A. It was an Act of my own, for which I stand responsible; it was however approved of afterwards by my Superiors, and I look up to that as my Justification.

Q. Was it your own personal Act, not an official Act?

A. It was not my personal Act.

Q. By what known Power of Office you arrested Durbidgy Sing, and put him into Confinement?

A. I do not believe there was ever any such Power vested in the Office of Resident; but, as I said before, I did it upon my own Motion.

Q. How long had Durbidgy Sing been in Possession of his Office before he was imprisoned?

A. I should suppose about Twelve Months.

Q. How long after his first Imprisonment was it, before Jagger Deo Sing was appointed to that Office?

A. I do not recollect the Day, but I believe the Evidence will shew it was immediately; in the Course of Three Weeks or a Month.

Q. Who had the Care of the Revenues, in the Interval between the Imprisonment of Durbidgy Sing and the Appointment of Jagger Deo Sing?

A. It may be said, that I had myself, though whatever was done, was done by Jagger Deo.

Q. Whether you had not a Concern, and did not act, with Jagger Deo in the New Settlement of the Country ?

A. I did till he was vested with the Authority of Naib.

Q. How long was that ?

Then the printed Minutes were shewn to the Witness, and he read from Page 302 of the same, the following Extract of a Letter to himself from the Governor General and Council, dated the 4th December.

“ We approve and confirm your Appointment of Baboo Jagger Deo Sing to the Office of Naib of the Zemindarry, in the Room of Doorbijey Sing, and desire that you will invest him immediately with the usual Khelaat in due Form.”

Then the Witness, in Answer to the Question, said,

It was within eight Days, after that I received this Letter, about the 12th of December; he was invested with the Power before, but had not the Khelaut till, according to the Custom of that Country, they could discover a fortunate Day.

Q. (*by a Lord*) Till the Investiture, Jagger Deo acted in fact, but under your Authority, so it might be said you had the Management till the Investiture ?

A. That is, I gave my Authority and my Influence to Jagger Deo Sing's Acts.

Q. (*by Managers*) Was you not consulted in the Settlements made, and gave your Opinion to Jagger Deo ?

A. Undoubtedly Jagger Deo did consult me with respect to the Choice of his Aumils.

Q. In that only, and not in the Settlement ?

A. I really believe that Jagger Deo Sing did consult me at that Time upon most of the Subjects respecting the Zemindarry, as was most likely he should.

Q. Did he, after the Investiture ?

A. I believe he told me to whom he meant to grant such or such Aumils, because he was at this Time apprehensive of the Failure of the Crop of the Country from the excessive Drought, and if any Thing did happen to him in that Year, I believe he wished me to know that it did not proceed from his Mismanagement; and while I was at Benares, I did not hear that he was guilty of Oppression.

Q. What Steps did you take about the Murderers of Durby Doley, complained of by Mr. Hastings, which he had commanded you to inquire into ?

A. Mr. Hastings was himself in the Zemindarry at the Time, to the best of my Recollection, and gave the Naib the Order.

Q. What was done about that ?

A. I do not recollect whether the Murderers were seized or not; but the Naib Durbedgy Sing made it a Pretence to drive all the Coufacks out of the Country; upon which I certainly did interfere, and prevented him from doing it.

Q. Whether you, after the Letter received from Mr. Hastings, did take any Steps yourself, according to the Directions of that Letter, to apprehend the Murderers ?

A. I believe I have a Paper that will explain it.

Then the Witness produced a Paper, and said,

It happened about November 1781. The Letter of Mr. Hastings was the 19th of June 1782; in which, as I have already stated, he, Mr. Hastings, says he has received Complaints from Durbedgy Sing against Captain Baker: On Inquiry, I found that Mr. Hastings had been deceived, in some Measure, with Respect to the Complaints against Captain Baker; and I received this Letter from him in Answer to the One I wrote him, which I have not.

Then the Witness read the following Extract :

“ My Dear Markham,

“ Fort William, 7th August 1782.

“ I have received your's of the 27th ultimo, and am perfectly satisfied, from your Relation of the Affair, that the Charge against Captain Baker is utterly false. Indeed I allowed it a greater Weight, because I understood it to appertain to a later Date, and was displeased at the Renewal of his Command, which would have been a direct Breach of my Orders to Colonel Blair.

“ I am, dear Markham,
Your's most affectionately,
“ Warren Hastings.”

Q. What

Q. What Proceedings were had, to detect the Murderers of Durby Doley, and bring them to Justice ?

A. I do not recollect that they were ever seized ; but I am not certain of the Fact.

Q. What Steps were taken to seize them ?

A. I believe the Naib sent People after them ; but I do not know that I had any Orders from Mr. Hastings, being then at Benares, to interfere myself in the Business ; it was distant from Benares, and I do not know how it ended.

Q. Then, you do not know that any Measures were taken to apprehend the Murderers of Durby Doley, or to bring them to Justice, or to make any Enquiry concerning them ?

A. I know that Mr. Hastings was very eager to secure them ; but he gave his own Orders to the Naib, to the best of my Recollection.

Q. To what Naib ?

A. Durbidgy Sing.

Q. Was Durbidgy Sing Naib when Mr. Hastings went up there ?

A. He was Naib in the latter End of the Year 1781, when Mr. Hastings left the Zemindary of Benares.

Q. But was he at the Time we are speaking of ?

A. He was ?

Q. Whether any Part of this Correspondence, and what, appears among your Letters of Office ?

A. I do not believe any.

Q. Whether an Enquiry was made, according to the Orders of Mr. Hastings, into the Conduct of Captain Baker, and the Oppressions charged upon him ?

A. I made it myself.

Q. Was it by a Court Martial ; or a Court of Enquiry ; or a Court of Civil Jurisdiction ?

A. I made the Enquiry myself. Serraub Cheit Sing, who made the Complaint to Durbidgy Sing, was sent for by his Brother to Benares ; I enquired into the Affair between the Two Brothers, and I found them throwing the Accusation from the one to the other, that I did not myself believe there were any Grounds for an Accusation.

Q. Whether any Record of the Proceedings exists of this Enquiry ; by Record is not meant Record in a legal Sense, any Office Record ?

A. I believe not—as it was only in Conversation between them, and Serraub Cheit Sing he said, he regretted having made a Complaint upon a trifling Cause, I did not think it at all necessary.

Q. Was Durbidgy Sing, who made the Complaint to Mr. Hastings, acquainted with this Enquiry, and desirous to be present in order to make good his Charge ?

A. Durbidgy Sing was present ; it was a Thing amicably settled.

Q. What do the Words “ amicably settled ” mean ; is there any verbal Process or Paper whatever, that serves to shew the Nature of that Conversation and Settlement ?

A. I do not believe there is ; nor did I think it then necessary ; nor do I think it now.

Q. Whether you have kept any Account of the Receipt and Expenditure of the Revenue, during the Time you had the Superintendence of this Revenue, from the Imprisonment of Durbidgy Sing, till the final Investiture of Jagger Deo Sing ?

A. I have them not ; there was an Officer appointed ; there was an Office of Treasury appointed ; Jagger Deo Sing from the first knew every Receipt, and it was delivered over to him so at the Time he was appointed.

Q. What Court of Controul was this Office of Treasury ; in whose Hands, and by whose Authority ?

A. I believe, but I am not sure, that such an Office is directed by the Governor General, and is upon Record.

Then, the printed Minutes were shewn to the Witness, and he read from the same as follows:

“ In forming the Arrangements consequent upon this new Appointment, I request you will, as far as you can with Propriety, adopt those which were in use during the Life of Bulwant Sing, so far at least as to have distinct Offices for distinct Purposes, independent of each other, and with proper Men at the Head of each ; so that One Office may detect or prevent any Abuses or Irregularities in the others, and together form a System of reciprocal Checks. Upon that Principle, I desire you will in particular establish, under whatever Names, one Office of Receipts, and another of Treasury.” (a)

Q. Whether that Office was effectually executed ?

A. There was such an Office appointed, but I have forgotten the Name of the Officer.

Q. Was it really, and substantially, and effectually executed ?

A. I do not believe it was substantially executed, because I went very soon afterwards to Calcutta, and resigned immediately afterwards, and therefore cannot say whether it was continued or not.

Q. What Modes were taken to discover the Charge made against Durbidgy Sing, of having received more from the Mofufful than he accounted with the Government for ?

A. Alla Ibrahim Khan was the Arbitrator between him and Jagger Deo Sing.

The Question was read to the Witness.

His own Papers proved it—besides which, some of the Aumils who were said to be in Arrears to him, shewed a full Receipt under his own Hand and Seal.

Q. Whether you did not yourself admit, that Money was due to him in the Mofufful when he was arrested, and that you would employ your Interest to get it for him ?

A. He sent me, before his Arrest, an Account of about Four Lack of Rupees, which he said was owing to him; upon my Attempt to recover this Balance, I found either that the Aumils had fled, or that they were in Confinement.

Q. Was the Money recovered ?

A. It never was.

Q. Whether or no, Durbidgy Sing had not had a long Illness, previous to his Imprisonment, which disabled him from attending to the Collections ?

A. He had had a long Illness, contracted by low Debauchery, and for which I offered him the Assistance of Dr. Balfour, who was a Surgeon at Benares.

Q. Did it disable him from attending to his Collections ?

A. I pressed him, if he would not attend to his Collections himself, to allow either of his Brothers to act for him: this he would not admit of.

Q. Where is the Judgment; where is that Record in which it is proved, that he received more from the Mofufful than he accounted for with Government ?

The Witness produced a Book, and said :

I have offered, and do again offer it, as far as I am able.

Q. By whom was it taken ?

A. It was taken by my own Moonshy, assisted by the Mutsuddy of Durbidgy Sing.

Q. Is it a Copy of the Account made out by Ally Ibrahim Cawn, to whom this Matter was referred ?

A. I believe it to be so.

Q. Do you know it to be so ?

A. No; I cannot state that I do positively know it to be so.

Q. What Reason have you for believing it.

A. Because it is not my own Translation.

Q. Is that the only Reason ?

A. It is my only Reason.

Q. From what Authority does this Account come; is it recorded or registered in any public Office ?

A. Not to my Knowledge.

Then, the Book produced by the Witness was ordered to be delivered in. The same was delivered in accordingly (a).

Q. That was the Account made up by Durbidgy Sing's Mutsuddy, and your Moonshy ?

A. Yes.

Q. Who delivered it to you ?

A. This is written by my Clerk.

Q. Who delivered to you the Original ?

A. I do not know; the Original was brought to me by the Accountant of Durbidgy Sing.

(a) See the above Account at the End of this Day's Evidence, infra Page 1750.

- Q. Not by your own Moonshy : by what Mutfuddy of Durbidgy Sing ?
 A. The Person who transacted the Business of the Country under Durbidgy Sing.
- Q. Do you recollect his Name ?
 A. I do not recollect his Name, I do suppose I never heard it, not at that Time.
- Q. Whether this is the Paper in the Process, or whether it is the Judgment in the Cause, and the Result of the Inquiry before Ally Ibrahim Cawn ?
 A. It is not the Result of any Inquiry before Ally Ibrahim Cawn.
- Q. Or before any other Magistrate ?
 A. Nor before any other Magistrate ?
- Q. Or Arbitrator ?
 A. Or Arbitrator.
- Q. Whether Durbidgy Sing was not Twice in Imprisonment ?
 A. I know of but once.
- Q. Whether he was not imprisoned in a stricter Manner at last than at first ?
 A. Not to my Knowledge.
- Q. Whether at last his Guard was not stricter than at first ?
 A. I do not know that it was.
- Q. Whether the Guard in the second Case was not within the Walls of the Prison, at the last ?
 A. I do not recollect it was.
- Q. Whether the Effects of Durbidgy Sing were not seized ?
 A. We attempted to seize the Treasure, but there was none.
- Q. None at all ?
 A. None at all.
- Q. Whether any Goods or Effects, or Lands or Houses, of his were seized ?
 A. Not to my Knowledge.
- Q. Never ?
 A. Excepting the Province of Mahud, which, being given him for his Maintenance as Naib, was resumed by Order of the Board, upon his ceasing to act in that Office.
- Q. Whether an Inquiry was not made into his Substance and Effects ?
 A. I do not recollect there was.
- Q. Whether you know, or have heard, that he was ever so found to act ?
 A. I do not know.
- Q. Do you believe he was found so to act ?
 A. He was in Confinement, I believe, when I left India.
- Q. He continued then in Confinement ?
 A. He had been released by me ; when I left Benares he was at Liberty.
- Q. Whether the Family of Mahipnarrain did not complain of his Removal ?

Then the House adjourned to the Chamber of Parliament.

Die Mercurij, 30^o Maij 1792.

THE Lords being in their Places, the House resumed, the usual Proclamations made, and the Defendant appearing at the Bar, the Lord Chancellor informed the Counsel for the Defendant, they might proceed with their Evidence.

Mr. Markham was again called in, and cross-examined, as follows :

Q. You have said that two Lacks of Rupees, given to Mr. Hastings as a Present by Cheit Sing's Buxey, had been applied to the Company's Service, is it so ?

A. Before I answer any Question, I wish to state a Thing that has happened within these few Minutes ; I have received a Note from one of the Honble. Managers, enclosing a Letter of my own to my Father immediately after the Disturbances at Benares. The Honble. Manager, in his Note to me, has desired me to correct my Evidence in some Instances where it has been rather inaccurate ; I would much rather lay the whole Letter before this Right Honourable Court, if I have Permission ; I hope it will shew that my Evidence has not varied in any material Point.

The Managers for the Commons stating, That they had no Objection to the same being read, together with the Note accompanying it, the Witness read as follows :

" Sir,

" Being in the Country last Sunday and Monday, in looking over some Papers I found the enclosed Letter from you to the Archbishop of York ; his Grace spoke to me of it at Court, and sent it to me, as I recollect, the Evening of our Conversation, as a Member of the Select India Committee, for my Information in that Character, as an ostensible Letter upon a public Transaction, and containing no private or family Matter whatsoever ; it did not appear to differ, excepting Matters of Opinion, in any of the Parts, which I deemed very essential, from the Accounts I had then received from various Quarters, I therefore thought no more of it, until by mere Accident I found it at the Time and Place I mentioned ; it is written in a Clerk's Hand, though signed, as I conceive, by yourself ; I send it as I received it, and I keep no Copy.

" I have marked some Parts with a Pencil, if, as the Transaction was so many Years ago, and that your Memory may easily not have served you perfectly, perhaps you might wish to render some Parts of your Evidence more exact ; it is for that Reason I now send it to you, wishing you to make such Use of it as you think proper, but this I leave wholly to your own Discretion. The Letter is in your sole Possession.

" I have the Honour to be, with very great Respect,

" Sir,

Your most obedient

And humble Servant,

" Edm. Burke."

" Wednesday, May 30th 1792.

" Perhaps you may think the Matters marked of no Moment. I shall make no Use of it, and it is, I think, more proper that you should have it than I."

" My dear Father,

" Benares, January 3, 1782.

" I have not, since March last, had any Opportunity of writing to you. The Swallow, I understand, is ready for sailing, and I must make the best of my Time to tell you a long Story, in which I have been a great deal concerned.

" In my Letter of the 28th March, I informed you that I was appointed Resident, and had been a Month at Benares. Nothing particular happened from that Time till the Arrival of Mr. Hastings, on the 14th of August, who left Calcutta to proceed to Lucknow, with a declared Intention of reforming Abuses, and retrenching a most enormous Expence which has crept into the Establishments of the Upper Stations, from the Difficulty of correcting Corruption at the Distance of 900 Miles.

" I must

" I must now return to Benares, and give you some Accounts of Rajah Chyet Sing, his Birth, and the Right of his Father and himself to this Zemindarry. His Father, Rajah Bulwan Sing, who was formerly possessed of the small Zemindarry of Gongupoor, by his Abilities, and the Advantage which he took of Dissentions among the Zemindars around him, and by Bribery at the Court of Sujah-ul-Dowla, the late Suba of Oude, obtained Possession of the Five Circars of Benares, Juenpoor, Guzipoor, Chunar, and Canteet. He paid yearly a Revenue of Twenty Lack of Rupees to Sujah-ul-Dowla; though he never could obtain a regular Sunnud for the Countries he thus usurped; he was therefore in continual Fear of being dispossessed, and wished to acquire some strong Posts, by the Help of which he might be able to withstand any sudden Invasion.

" The Fort of Bidjegur presented itself to him as a Place in which at all Times he might deposit his Treasures in Security, and, in the Event of an Attack, his Women and Family; its being the Right, and in Possession of another Zemindar, was no Obstacle to his Views. He wasted the Country round it with Fire and Sword, and carried away Captive, Men, Women, and Children: Among the latter was a Girl named Ponnah, whom he entrusted for her Education to a famous Notch Girl at Jimpoor. After Two Years, being tolerably qualified in her Profession, she was brought to him. He liked her, and by Permission of his Wife Golaub Cooma (by whom at that Time he had a Daughter) took her to his Bed. The Produce of this Connection was Two Sons, Chyet Sing the Rajah, and Soojun Sing. I have been thus particular in relating the Circumstances of Raja Chyet Sing's Birth, that it may shew you the Weakness of his Title to Inheritance from his Father. Bulwan Sing died in September 1769, without a Will; but desired on his Death Bed, that his Treasures and his Country might devolve to his Wife Gulaub Cooma, and to her Issue by his Body.

" Chyet Sing was at this Time a Lad of 15 Years of Age; and Affam Sing, who had been Nabab to his Father, imagined he should enjoy a more absolute Authority if he placed this Minor on the Musnud in Preference to the Old Rannee, to whom the Right of Succession belonged. He attempted it by every Art and Bribery both with Souja-ul-Dowla, and his Ministers, and he at that Time succeeded; but without being able to obtain a Sunnud from the Nabab Vizier.

" In 1773 the Vizier Souja-ul-Dowla came to Benares to meet Mr. Hastings, for the Adjustment of some Disputes between him and the Company; and for the Settlement of some Articles in a proposed Treaty; including likewise as a Secondary Object of his Journey to dispossess Raja Chyet Sing, and to seize his Treasures. Mr. Hastings, out of mere Compassion to the Youth, and wishing to avoid being involved in any Disturbance during his Residence at Benares, which such an Attempt might occasion, persuaded the Vizier Nabab to forego his Purpose; and as an additional Obligation on the Raja, to sign a Sunnud, fixing him as Zemindar, on his paying a very moderate Tribute.

* See in Orig. " In 177 * the Vizier Asoph ul Dowla, who succeeded his Father Souja-ul Dowla, in the Souba of Oude, ceded these Countries, with the Sovereignty and every Right appertaining to them, to the Company in Lieu of the Provinces of Allahabad and Corah.

" Raja Chyet Sing became from this Time a Zemindar or Land Holder of the Company's, on the very moderate Terms of the annual Payment of Twenty-two Lack, Twenty-one thousand seven hundred and forty-five Calcutta Sicca Rupees, and the Government permitted him to hold the Benares Mint and Courts of Justice, as an additional Motive for his good Behaviour.

" When the Supreme Council heard of the Declaration of War between France and England; and when they found the unavoidable Necessity of continuing the Mahratta War, as Peace was not to be gained on honourable Terms, thought it but just and equitable that Raja Chyet Sing should, in some Degree, contribute to the Expences of the War; as he, in particular, derived so great Advantage from the Protection and Prosperity of the Company.

" Five Lacks yearly till Peace should be concluded, was the Sum demanded of him. He pleaded Poverty, and attempted every Art of Chicane to avoid consenting to the Demand.

" This happened Two Years successively, and he was as often obliged to comply.—In the Beginning of 1778 he sent Buxey (or his Paymaster) Suddinund to Mr. Hastings in Calcutta, professing great Contrition for this and other Offences committed against his Government, promising a good Behaviour for the future, and his Readiness to assent to the Payment of the Five Lack, or even a large Sum immediately on the Requisition being made,

" Mr. Hastings considering the past might be the Error of his Youth only, freely forgave him, and promised him his Protection, and that of the Company, if he relapsed not into his former Follies, and if he dismissed some Evil Councillors from his Confidence.

" At this Time an Expedition into the Province of Mahva was projected by the Governor General and Council against Madajee Syndia, and was soon after carried into Execution, under the Command of Lieutenant Colonel Camac.

" Mr. Fowke, the then Resident of Benares was directed to demand the Annual Five Lacs, and to appropriate it to the Disbursement of this Detachment. The Rajah agreed to satisfy the Demand without Hesitation. But a short Time after, the Differences in Council happening between the Governor General and Mr. Francis, he conceived that Delays might turn out to his Advantage, in the Event of the latter gaining a Majority. This Procrastination nearly proved the Ruin of

Colonel

WASSIL BAAKIE for the FUSSILLIE YEAR 1189.

NAMES of the PERGUNNAHS.	NAMES of the AUMILS.	Nett Jumma agree- able to the Calahat and Pottah for the Fussillie Year 1189.	Amount Collections.	Amount remaining Balances of the Ful- sillie Year 1189.	NAMES of the PERGUNNAHS.	NAMES of the AUMILS.	Nett Jumma agree- able to the Calahat and Pottah for the Fussillie Year 1189.	Amount Collections.	Amount remaining Balances of the Ful- sillie Year 1189.
In IZZARAH.					D. HAUT.				
Schewpoor Khuthaiher	Kaleb Ally Beg	14,221 - 9	14,211 - 9	- - -	Mochulpoor, &c.	Bhabal Singh	10,016 - -	8,801 11 -	1,214 5 -
Aught Gong	Luckhun Sing	60,664 8 -	59,983 3 3	9,681 4 9	Bhalah Thame	Raffal Singh	4,153 4 -	3,227 8 6	925 11 6
Burra	Loll Mahomed	37,676 -	34,155 9 -	3,520 7 -	Bowhur	Shewpoor	898 12 3	898 12 3	- - -
Bhuthutic	Sheembar Sing	88,445 9 6	64,421 2 9	24,024 6 9	Dhowmah	Shar Seng Sing	7,018 8 -	7,018 7 9	- - 3
Phoudarah	Baboo Naikul Sing	1,135,600 9 9	1,76,247 15 3	7,312 18 6	Eatullah	Bridgell Singh	9,119 14 3	8,334 8 -	885 6 3
Ghyloah	Dhun Sing	72,924 1 6	76,213 5 -	2,710 12 6	Rannampoor	Alhur Singh	1,205 - -	1,191 5 6	14 1 3
Chittaiipoor	Ram Diall	13,953 11 -	11,350 8 3	2,603 2 9	Kharwecpoor	Rambh	582 3 -	582 3 -	- - -
Khurroant Seakur	Soobhou Paunrie	64,325 12 9	33,512 5 9	30,813 7 -	Mooffupoor	Naima Singh	3,400 14 -	3,400 9 -	- 5 -
Lhotah	Simboorattren	23,292 7 -	20,628 14 -	2,663 9 -	Almadupoor	Mirza Ali, Khawn	3,366 1 6	3,366 1 6	- - -
Churnarah	Baboo Boopurain	83,315 1 -	88,315 - -	- - -	Jourampoor and Modarrie	Buckler Singh	2,332 4 -	2,332 4 -	- - -
Bhur Gong	Do. Do.	26,322 - -	26,322 - -	- - -	Hernampoor	Anant Dhar	1,418 8 -	1,228 - 6	190 7 6
Gupallarpoor	Bullunt Loll	54,530 8 -	44,647 - 3	9,883 7 9	Gharrothe	Schewpoor Singh	889 3 -	889 3 -	- - -
Raslopoor	Secwver Chowdry	38,759 10 6	25,780 5 6	12,979 5 -	Hayapoor	Khal Singh	520 - 9	488 12 3	31 4 6
Haville Gazipoor	Bullam Dols	98,015 8 9	62,989 6 3	35,026 2 6	Bhyrpoor	Motie and Pollack	355 6 -	318 9 3	36 12 9
Syedpoor	Baboo Ollan Sing	20,828 12 -	12,520 - -	8,308 12 -	Phutternampoor	Gudja and Bhallupoor	227 12 3	211 8 9	16 3 6
Dhoos	Tockrie Bulwunt Sing	29,848 8 -	22,151 15 6	7,696 8 6	Patt Khowhe and Gohainpoor	Jawla Gher	340 2 -	- - -	340 2 -
Sutair Ghur	Shewperland Sing, &c.	23,288 8 -	19,172 - -	4,116 8 -	Nazzerana Umbeia	Jaitoo	335 3 -	335 3 -	- - -
Zohoorabad	Bullam Dols	1,24,201 - -	88,540 8 -	35,660 8 -	Danecal poor	Galaut	354 6 -	293 - -	61 6 -
Zummoieah Chowmfah and	Shew Zallim Sing	331,273 14 -	221,125 3 3	1,01,108 10 9	Dholly Talah	Radar Kohen	652 10 -	652 10 -	- - -
Shadeabad	Baugwunt Roy	73,486 - -	41,026 14 6	31,589 1 6	Murapoor Biffahie	Khurro Alie	558 14 -	464 15 -	93 15 -
Karonah	Chackoo Taiwarrie	50,958 12 -	49,895 7 -	1,063 5 -	Mahommidpoor	Ghurtee	163 - -	163 - -	- - -
Blankie	Rajah Myipnarain	42,526 - -	14,896 - -	28,630 - -	Gowindpoor	Khurro Nabbie	51 10 -	51 10 -	- - -
Mungrah	Rajah Myipnarain	80,890 8 -	39,625 7 -	41,865 1 -	Nizzaranna Chundiyatt	Meir Mead Alie	206 - -	206 - -	- - -
Kholah Affallah	Do. Do.	89,191 - -	43,227 3 9	45,873 12 3	Khadypoor	Khooish Muffah	406 - -	390 15 6	15 - 6
Khaupoor	Do. Do.	21,768 12 -	5,797 8 -	15,971 4 -	Buxflah	Meiton, &c.	3,949 12 -	3,947 9 3	22 2 9
Bhndhoic, Sairamoo, and Piffara	Shew Zallim Sing	3,41,720 12 -	2,91,411 - -	50,309 12 -	Nowanah	Guzzee O Sing	431 5 -	290 12 9	140 8 3
Churrah Dhiemah	Mirza Coffin Beg	49,681 - -	35,014 15 3	14,076 - 9	Almullah	Shew Loll Sing	280 - -	84 8 -	195 8 -
Muywah	Jaggenaut Sing	73,436 1 -	59,259 6 -	17,176 11 -	Total Amount D. HAUT -				47,132 15 9
Khurnah, Daurrie	Baboo Oman Sing	24,231 14 6	22,76 3 3	325 11 3	ABSTRACT of the preceding Account.				
Bhurhur Bulza-Ghur	Diaran	66,729 8 -	53,324 4 3	13,425 3 9	Total Amount Pergunnahs in IZZARAH				28,31,101 13 9
D. Haut Buxthiaie Jounpoor	Kaleb Ally Beg	15,750 - -	15,750 - -	- - -	Total Amount Pergunnahs in AHMANIE				18,39,041 1 3
Gopallipoor	Duffaine Sing	7,022 8 -	6,359 4 -	663 4 -	Total Amount D. HAUT				47,132 15 9
Mitchell Chuna Bhurrie	Dhoondie and Jaut Mairwan	22,461 2 6	9,190 12 -	13,270 6 6	Grand Total				47,17,275 14 9
Muparrat	Loll Bhabdar and Pailwan Sing	45,566 15 9	31,450 8 9	13,917 7 -	EXCESS of JUMMA, as per Particular.				
Muneyahoo	Dhun Sing	1,91,673 5 6	1,49,937 12 6	27,735 9 -	Schair Mirzapore		5,102 4 9		
Schair Mirzapoor	Baboo Omrow Sing	71,541 - -	70,643 4 9	5,102 4 9	Schair Shewpoor		5,254 12 -		
Schair Schewpoor	Chunput Roy	46,575 - -	58,329 12 -	5,254 12 -	Amount nett Collections				36,40,715 15 6
Schair Gazipoor	Aga Mahomed Mindie	65,000 - -	58,510 8 6	6,483 7 6					
Total Amount Pergunnahs in IZZARAH		28,31,101 13 9	22,85,294 11 3	6,33,164 3 3					
In AHMANIE.									
Rhuffwah	Rammonot	89,468 7 6	78,576 7 -	10,962 - 6					
Haville, Jounpoor, &c.	Kaleb Ally Beg	2,82,184 12 -	2,82,498 14 6	2,115 13 6					
Hurhurpoor	Do. Do.	18,568 6 3	18,568 6 3	- - -					
Hernowah	Duffaine Sing	12,688 3 -	9,585 7 9	3,102 11 3					
Mahomedabad	Buxhoo Sing Tockrie	1,20,600 - -	8,356 - -	30,514 - -					
Bugwut Harille Chunar	Schewnaut Sing	78,867 8 -	58,514 14 9	20,866 9 3					
Bullah and Chiet Pheredpoor	Baboo Surrooljeit Sing	58,199 8 3	3,97,112 10 9	1,81,836 13 6					
Jeck Kanie	Naimah Sing	36,001 - -	10,617 3 6	16,033 12 6					
Khuntiet	Baboo Omrow Sing	1,82,499 - -	1,47,209 10 3	12,042 5 9					
Kharaindah	Morick Sing	65,001 - -	44,211 3 6	30,789 12 6					
Mowae Mowharrie	Bhabadoor Sing	51,306 8 9	43,793 3 3	7,808 5 6					
Nhurween	Tockrie Bhuckt Sing	66,463 3 3	46,779 9 9	22,871 9 6					
Khairah Mungroah	Rajah Myipnarain	80,601 - -	49,893 9 -	30,106 7 -					
Deo rylne	Mungul Sing	10,668 8 3	9,719 5 -	729 3 3					
Alumecnie Benare	Chunput Roy	1,33,000 - -	93,867 - -	39,131 - -					
Schair Ramnagurr	Schuwur Chowdry	30,000 - -	- - -	30,000 - -					
Total Amount Pergunnahs in AHMANIE		18,39,041 1 3	13,99,028 9 3	4,40,012 8 -					

NAMES of the PERGUNNAHS.	NAMES of the AUMILS.	Gross Jumma in the Time of Chitce Sing for the Fulle Year 1188.	Gross Jumma as let- tled by Durbeety Sing for the Fulle Year 1189.	Deductions from the Gross Jumma.	Net Jumma agree- able to the Cabolat and Pottah for the Fulle Year 1189.	NAMES of the PERGUNNAHS.	NAMES of the AUMILS.	Gross Jumma in the Time of Chitce Sing for the Fulle Year 1188.	Gross Jumma as let- tled by Durbeety Sing for the Fulle Year 1189.	Deductions from the Gross Jumma.	Net Jumma agree- able to the Cabolat and Pottah for the Fulle Year 1189.				
In IZZARAH.						D. HAUT.									
Shewpoor Kuthaiker	Kaleb Ally Beg	1,52,850 1 9	1,59,281 - 3	19,059 15 6	1,40,221 - 9	Moculpoor, &c. Villages in Pergunnah	Bhahadoor Sing	10,016 - -	10,016 - -	- - -	10,016 - -				
Aught Ganga and Narrainpoor	Luckhun Sing	61,764 8 -	61,764 8 -	1,100 - -	60,664 8 -	Schewpoor	Raffal Sing	3,659 6 0	4,153 4 -	- - -	4,153 4 -				
Burrah	Loll Mahomed	32,975 - -	38,476 - -	800 - -	37,676 - -	Balah Tarric	Schewnaut	713 12 3	913 12 3	- - -	913 12 3				
Bluruttie	Sheoumar Sing	89,266 9 6	89,266 9 6	800 - -	88,466 9 6	Bowhar	Schew Serram	7018 8 -	7,018 8 -	- - -	7,018 8 -				
Phundarra	Baboo Naikol Sing	1,01,446 1 -	1,23,446 1 -	9,005 7 3	1,13,560 9 9	Dhowraah	Bridje Loll Sing	3,119 14 3	3,119 14 3	- - -	3,119 14 3				
Physocah	Dhun Sing	75,938 8 -	75,938 8 -	2,214 6 0	73,724 1 6	Eatulloah	Ahter Beg	1,254 2 9	1,254 2 9	48 12 -	1,255 6 9				
Chittiaepoor	Randiall	11,175 - -	11,175 - -	221 5 -	10,954 11 -	Ramroypoor	Ramburth	5-6 4 -	582 3 -	- - -	582 3 0				
Kurreedut Scaikher	Soobhou Pannrie	76,951 - -	76,951 - -	3,432 15 -	73,518 1 -	Khawdoopoor	Naimah Sing	3,254 - -	3,797 14 -	397 - -	3,400 14 -				
Lhotah	Simbooruttun	26,964 - -	26,964 12 -	3,674 5 -	23,292 7 -	Mooflapoor	Mirza Ally Kila	3,489 9 -	3,389 9 -	123 7 6	3,366 1 6				
Ghurwarrah	Baboo Boopnarin	88,315 1 -	88,315 1 -	1,158 - -	87,157 1 0	Joierampoor	Buckhut Sing	2,113 13 -	2,332 4 -	300 - -	2,332 4 -				
Bhur Gong	Do. Do.	40,352 10 -	40,352 10 -	14,000 - -	26,352 - -	Hernampoor	Annot Dhurr	824 - -	1,418 8 -	- - -	1,418 8 -				
Gopullarpoor	Buffant Loll	53,946 7 -	55,688 8 -	1,158 - -	54,530 8 -	Ghurwarrah	Schew Buckut Sing	889 3 -	889 3 -	- - -	889 3 -				
Raaloopoor	Scewer Chowdry	50,452 15 3	50,452 15 3	11,093 4 9	39,359 10 6	Khayloopoor	Koal Sing	520 - 9	520 - 9	- - -	520 - 9				
Havillee Gauzipoor	Bullam Dols	98,015 8 9	98,015 8 9	54,200 - -	20,815 8 9	Bhyroypoor	Mutie and Pollack	305 6 -	355 6 -	- - -	355 6 -				
Syedpoor	Baboo Offaan Sing	75,028 12 -	75,028 12 -	1,512 - -	29,848 8 -	Phurflerrampoor	Guljali and Bl...	209 12 3	227 12 3	- - -	227 12 3				
Dhoos	Tockrie Bulwunt Sing	31,734 5 3	31,738 8 -	- - -	23,288 8 -	Patt Khawlie and Gollampoor	Jawhier Ghie	340 2 0	310 2 -	- - -	340 2 -				
Sudair-Ghur	Sheep (aut Sing, &c.	22,476 - -	23,288 8 -	- - -	23,288 8 -	Nuzzerrana Durreba Pam Mhehat	Jaitoo	395 3 -	335 3 -	- - -	335 3 -				
Zohoozabad	Bullam Dols	1,05,237 3 -	1,24,201 - -	- - -	1,24,201 - -	Dammal poor	Golaubnaut	354 6 -	354 6 -	- - -	354 6 -				
Zummanicah Chounah Bervull	Shew Zallim Sing	3,11,772 14 -	3,31,273 14 -	- - -	3,31,273 14 -	Delolly Talah	Radah Kifhen	652 10 -	652 10 -	- - -	652 10 -				
Shadeabad	Baugwunt Roy	56,376 - -	73,486 - -	3,688 - -	50,958 12 -	Murrahpoor Bullahie	Khurriem Allie	558 14 -	558 14 -	- - -	558 14 -				
Karonah	Chuckkoo Tawarrie	42,948 - -	54,644 12 -	- - -	42,526 - -	Mhonundpoor	Ghurrieve	152 14 -	103 - -	- - -	103 - -				
Beauliffe	Rajah Myipnarin	42,526 - -	42,526 - -	- - -	42,526 - -	Gowindpoor	Klunram Nubb	25 2 -	51 10 -	- - -	51 10 -				
Mungrah	Do. Do.	80,890 8 -	80,890 8 -	- - -	80,890 8 -	Nuzzerrana Chundiatt	Meir Moraud Ale	181 - -	181 - -	- - -	181 - -				
Kholah Afallah	Do. Do.	89,101 - -	89,101 - -	- - -	89,101 - -	Khady poor	Khoondah Mifi	277 13 -	406 - -	- - -	406 - -				
Khanpoor	Do. Do.	21,768 12 -	21,768 12 -	- - -	21,768 12 -	Buxllah	Meiton, &c.	3,509 - -	3,919 12 -	- - -	3,949 12 -				
Bhudhoite, Sairdmo, and Paifara	Shew Zallim Sing	3,34,720 12 -	3,41,720 12 -	- - -	3,41,720 12 -	Newahmah	Guzzazje Sing	431 - -	431 5 -	- - -	431 5 -				
Ghurrah, Dheimah	Mirza Coffim Beg	41,601 - -	49,681 - -	- - -	49,681 - -	Ahnuliali	Shew Loll Sing	280 - -	280 - -	- - -	280 - -				
Mujwah	Jaggeraut Sing	77,197 9 -	77,197 9 -	2,612 8 -	74,585 1 -	Total Amount D. HAUT.					44,962 - 3	48,017 3 3	884 3 9	47,132 15 6	
Klunah Daunrie	Baboo Omaan Sing	25,908 2 3	25,908 2 3	1,737 3 9	24,171 14 6	ABSTRACT of the preceding Account.									
Bhurur Beidza-gurr	Daram	75,938 8 -	75,938 8 -	9,440 - -	66,498 8 -	Total Pergunnahs in IZZARAH		28,429,746 2 9	30,08,337 5 -	1,77,235 7 3	28,31,101 13 9				
D. Haut Buxthleac, Jounpoor	Kaleb Ally Beg	31,893 12 -	31,893 12 -	16,641 12 -	15,252 - -	Total Pergunnahs in AHMANIE		17,96,009 6 -	19,75,526 5 -	1,36,485 3 9	18,39,041 1 3				
Gopulpoor	Duffanie Sing	6,287 8 -	7,788 8 -	- - -	7,088 - -	Total D. HAUT		44,962 - -	48,017 3 3	884 3 9	47,132 15 6				
Micah, Chunar, Bhurrie	Dhowtie and Jeit Mairwan	21,600 14 -	22,461 2 6	- - -	22,461 2 6	Grand Total					46,81,717 9 -	50,31,880 13 3	3,14,604 14 9	47,17,275 14 6	
Mujwarrah	Loll Bhahur and Pailwan Sing	35,350 - -	50,625 - -	5,275 3 -	45,375 15 9										
Muneyarho	Dhun Sing	1,80,635 1 -	1,91,778 5 6	10 - -	1,91,073 5 6										
Schah Mirzapoor	Baboo Amrow Sing	75,001 - -	75,001 - -	- - -	75,001 - -										
Schah Schewpoor	Chumput Roy	40,570 - -	40,575 - -	- - -	40,575 - -										
Schah Gauzipoor	Ago Mahomed Mindie	55,138 8 -	65,812 8 -	- - -	65,812 8 0										
Total Amount Pergunnahs in IZZARAH		28,429,746 2 9	30,08,337 5 -	1,77,235 7 3	28,31,101 13 9										
In AHMANIE.															
Kluffwah	Rain Monorit	89,468 7 6	89,468 7 6	- - -	89,468 7 6										
Havillee, Jounpoor, &c.	Kaleb Ally Beg	2,86,015 14 6	3,33,930 14 6	49,116 2 6	2,84,814 12 -										
Kurtupoor	Do. Do.	22,557 4 -	23,528 6 3	5,400 - -	17,908 6 3										
Hecowrah	Dhuffanie Sing	18,547 4 -	12,688 3 -	- - -	12,688 3 -										
Mahomatalabad	Buxthoo Sing Tockrie	1,20,000 - -	1,20,000 - -	- - -	1,20,000 - -										
Bugvut Havillee Chunar	Schewnaut Sing	71,000 - -	80,867 8 -	2,000 - -	78,867 8 -										
Bullah, &c., Chit Pheraopoor	Baboo Surroajet Sing	5,22,232 - -	6,01,999 8 3	20,000 - -	5,81,999 8 3										
Jeckenne	Naimah Sing	12,818 11 -	36,001 - -	- - -	36,001 - -										
Khunteel	Baboo Omrow Sing	2,27,000 - -	2,27,000 - -	44,301 - -	1,82,699 - -										
Kharfaldah	Moruck Sing	51,001 - -	65,001 - -	- - -	65,001 - -										
Mowace, Mowharie	Bhahadoor Sing	50,000 - -	59,306 8 9	8,000 - -	51,306 8 9										
Nurselnu	Tockie Buckhut Sing	75,000 - -	66,908 3 3	- - -	66,908 3 3										
Khatrak Mangroar	Rajah Myipnarin	80,000 0 0	80,000 - -	- - -	80,000 - -										
Dhonyie	Mungul Sing	7,358 13 -	15,686 9 6	6,000 - -	9,686 9 6										
Ahneenie, Benares	Chumput Roy	1,33,000 - -	1,33,000 - -	- - -	1,33,000 - -										
Schah Ramnaghur	Scewer Chowdry	30,000 - -	30,000 - -	- - -	30,000 - -										
Total Amount Pergunnahs in AHMANIE		17,96,009 6 -	19,75,526 5 -	1,36,485 3 9	18,39,041 1 3										

Names of the Purgunnahs.	Names of the Aumils.	Neat Jumna as settled by Baboo Jagga Deo Sing for the Fuffillie Year 1190.
Schewpoor Khuthaiher	Kaleb Ally Beg	125,378 5 3
Hurhurpoor Chundwuch	D° D°	24,000 - -
D. Haut Buxhiaie	D° D°	20,000 - -
Havilli Jounpoor	D° D°	2,75,001 - -
Gopaullarpoor	Bowannyperfaud	55,001 - -
Ghurwarrah	Mirza Coffim Beg	1,00,001 - -
Sairamoo Piffarah	Baboo Jaggut Sing	65,301 - -
Delolly Taillah Benares	Chushall Chund Munno Loll	601 - -
Kunteet	Mirza Zadick Beg	2,23,503 1 3
Bugwut Karona	Bauffie Tockrim	1,25,890 - -
Jeekkennie	Baboo Duljeit Sing	18,001 - -
Murraiyahoo Ghyfwah, &c.	D° D°	2,76,525 10 -
Mahomedabad	Tockrie Rhennoo Sing	1,10,001 - -
Ferrowrah	Bauffie Tockrim	17,001 - -
Zummoneiah Chounfah, &c.	Tockrie Buckhut Sing	3,11,001 - -
Bullicah, &c.	D° D°	4,73,625 - -
Mewaie Mowarrie, &c.	Tockrie Rhennoo Sing	83,860 2 -
Mungrah	Bufwunt Sing	85,001 - -
Bialliffe	Surroop Sing	42,001 - -
Zohorabad and Suddiexbad	D° D°	1,50,000 - -
Lhotah	Baboo Shumboruttim	26,964 12 -
Rhalloopoor	Shewnaut Sing	45,452 - -
Kholah Affallah	Shewnperfunt Sing	89,101 - -
Bhurer	Bucktin	34,001 - -
Bhudhohie and Burra Gong	Dulliep Sing	1,75,659 - -
Havillie Gauzipoor	Baboo Saiember Sing	80,001 - -
Bhurhur Beidza-Ghur	Lollperettie Putt	72,001 - -
Aught Gong and Narrainpoor	Baboo Luckun Sing	61,764 8 -
Bhurhuttie	Shewtoll Sing	89,267 - -
Sudtais Ghurr	Baboo Inderjeit Sing	21,001 - -
Ghurrah Dhiemah	Baboo Scomber Sing	37,001 - -
Chittaiipoor	Duryaw Sing	12,001 - -
Mujwah	Dhun Sing	70,001 - -
Dhoos	Tockrie Rhennoo Sing	32,001 - -
Khurrieapt Scaikhur	Duffainie Sing	70,001 - -
Khajrah Mungroar	Baboo Naichut Sing	50,001 - -
Bhoilie Phendarah Toppah Guz- • zafah, and	Baboo Naichut Sing	1,12,001 - -
Dhonzoora Kerfunda	Buyarie Loll	12,001 - -
Pillorie	Gomaun Sing	1,101 - -
Kurnah Daurie	Munfhee Bier Sing	13,501 - -

KISTBUNDY for the FUSSILLIE YEAR 1,190.

(1753)

Names of the Pargunnahs.	Names of the Aumils.	Begins 1st Sept. Kurr, ends 30 Oct.	Begins 1st Oct. Khutah, ends 19 Nov.	Begins 1st Nov. Aurhun, ends 19th Dec.	Begins 1st Dec. Poo, ends 17th Jan.	Begins 1st Jan. Mau, ends 19th Feb.	Begins 1st Feb. Paangr, ends 19th March.	Begins 1st March. Chu, ends 19th April.	Begins 1st April. Byatad, ends 19th May.	Begins 1st May. Ful, ends 19th June.	Begins 1st June. Awa, ends 19th July.	Begins 1st July. Sawau, ends 19th Aug.	Begins 1st Aug. Bladon, ends 19th Sept.	Total.
Shewpoor Khuthaier	Kaleb Ally Beg	4,000	4,000	5,000	7,000	10,000	12,000	10,000	15,000	15,000	15,000	15,000	13,178 5 3	125,378 5 3
Kurburpoor Chundwuch	Do. do.	600	900	1,000	1,000	2,500	3,000	2,500	4,000	3,000	2,500	1,500	1,500	24,000
D. Haut, Buxhaian	Do. do.	600	600	700	1,600	1,500	2,500	2,500	2,500	2,500	2,000	1,500	1,500	24,000
Haville Jounpoor	Do. do.	15,000	15,000	17,001	20,000	23,000	35,000	25,000	25,000	40,000	20,000	20,000	20,000	275,001
Gopaularpoor	Bowanny Perfaud	2,500	2,500	4,000	4,000	5,000	7,500	5,000	6,500	5,000	5,000	3,000	3,000	27,500
Churwurah	Mizza Coffin Beg	5,000	5,000	8,000	8,000	10,000	10,000	12,000	12,000	11,000	9,000	6,001	4,000	1,000,000
Sairamoo Piffarah	Baboo Jaggut Sing	2,500	3,500	4,150 8	5,500	7,000	9,000	8,000	9,000	5,000	4,500	4,500	2,650 8	65,301
Delloly Jaillah Benaris	Chuthall Chund, &c.	60	60	61	60	60	60	60	60	30	30	30	30	601
Khunteet	Mirza Sadick Beg	10,001	10,001	15,001	17,000	20,000	20,000	32,000	20,000	24,500	25,000	15,000	15,000	243,503 1 3
Bugwut Karona	Bauffie Tockrien	5,000	6,000	8,000	7,000	15,000	17,000	19,000	15,000	15,000	10,000	4,000	4,800	125,890
Jeck kennie	Baboo Duljet Sing	800	800	1,000	1,000	2,000	2,275	2,500	2,500	1,500	1,000	1,000	1,500	18,001
Muraiyahoo Ghyfah, &c.	Do. do.	14,000	14,000	20,000	20,000	25,000	27,979 15 6	30,000	30,000	27,000	25,000	20,000	25,545 10 6	276,345 10
Mahomedabad	Tockrie Rhennoo Sing	5,000	5,000	8,000	8,000	11,000	11,125	11,000	12,000	11,000	9,000	9,000	9,876	1,10,001
Harrowrah	Rauffie Tockrien	1,000	1,000	1,000	1,000	1,500	1,938	2,000	2,000	1,500	1,500	1,400	1,163	17,001
Zummoniah Chounfah, &c.	Tockrie Buckhut Sing	15,000	15,000	20,000	20,000	32,000	34,050	35,000	35,000	30,000	25,000	24,000	25,951	3,11,001
Bullich, &c.	Do. do.	22,000	22,000	35,000	35,000	46,000	47,150	50,000	50,000	50,000	40,000	37,000	39,475	473,625
Mowai Mowarrie, &c.	Tockrie Rhennoo Sing	3,500	3,500	6,000	6,000	8,000	9,680	9,000	9,000	8,000	6,000	7,000	8,180 2	83,560 2
Mungrah	Dufwut Sing	4,500	4,500	6,000	6,000	7,000	8,000	9,000	9,000	9,000	7,000	7,000	8,001	85,001
Bialliffe	Surroop Sing	2,000	2,000	2,500	2,500	4,000	5,375	5,000	5,000	4,000	3,000	2,000	4,126	42,001
Zohoorabadz Suddicabad	Do. do.	7,000	7,000	11,000	11,000	14,000	15,625	15,000	15,000	15,000	12,000	10,000	17,377	1,50,001
Lhotah	Baboo Shumbooruttun	2,000	2,000	1,500	1,500	2,200	2,597 6	3,000	3,000	2,500	2,000	2,000	2,667 6	26,964 12
Rhallopoor	Shewnaut Sing	2,500	2,500	3,500	3,500	4,197	4,500	4,500	4,500	4,500	4,000	4,000	4,255	45,452
Khohah Aifallah	Shewerfunt Sing	5,000	5,000	6,000	6,000	7,000	8,687 8	10,000	10,000	9,000	8,000	7,000	7,413 8	89,101
Bhurer	Buckin	1,500	1,500	2,500	2,500	3,000	3,875	4,000	4,000	3,000	2,500	2,500	3,126	34,001
Bpudhohie and Bhur Gong	Dulliep Sing	9,000	10,000	11,000	12,000	15,000	19,000	23,000	22,000	15,000	12,000	12,000	14,559	1,75,659
Haville Gauzipoor	Baboo Saimeer Sing	4,000	4,000	6,000	6,001	7,000	8,000	9,000	9,000	8,000	7,000	5,000	7,001	80,001
Bhurhur Reedzai Ghur	Loll Pefitie Putt	3,500	3,500	5,000	5,000	6,000	7,250	9,000	9,000	7,000	5,000	5,000	6,751	72,001
Aught Goung and Narampoor	Baboo Luckhun Sing	3,500	3,500	5,500	5,500	4,500	4,509 4	7,000	7,000	8,000	6,000	3,000	3,755 4	61,674 8
Bhurfottie	Shew Loll Sing	5,000	5,000	7,000	7,000	7,500	7,554 5	9,500	9,500	8,500	8,500	7,000	7,212 11	89,267
Suclais Ghurr	Baboo Inderjeit Sing	1,400	1,500	1,700	1,700	1,500	2,044 3 6	2,500	2,500	2,500	1,500	1,000	1,356 12 6	21,001
Ghurrah Dhunah	Baboo Seombes Sing, &c.	2,000	2,000	3,000	3,000	3,000	3,188	3,800	4,000	4,000	3,000	3,000	3,013	37,001
Chittaiipoor	Duryaw Sing	800	800	1,000	1,000	1,000	1,025 7 6	1,500	1,500	1,000	900	900	975 8 6	12,001
Mujwah	Dhun Sing	3,500	3,500	5,500	5,500	6,500	6,425	8,000	8,000	8,000	5,000	5,000	5,076	70,001
Dhoos	Tockrie Rhennoo Sing	2,000	2,000	2,500	2,500	3,000	3,062 8	4,000	4,000	4,000	2,500	1,000	1,438 8	32,001
Khurricaut Scaikur	Duffainie Sing	4,000	4,500	5,500	5,500	6,000	7,312 8	9,000	8,000	7,000	5,000	4,000	4,188 8	70,001
Khairah Mungroar	Baboo Naichul Sing	3,000	3,000	4,500	4,500	5,000	5,000	5,000	5,000	4,000	4,000	4,000	3,001	50,001
Bhoilie Phoudafah	Baboo Nichul Sing	6,000	6,000	11,000	11,000	11,000	11,000	12,000	12,000	11,000	7,000	7,000	7,000	1,12,001
Toppah Guzzarah, &c.														
Dhonroah Kirfunda	Bayharrie Loll	700	700	800	800	1,000	1,625	1,500	1,500	1,000	1,000	1,000	775	12,001
Pillorie	Gomaun Sing	50	50	100	100	100	150	150	150	150	101			1,101
Khurna Paunrie	Munfhe Rier Sing	700	800	1,000	1,000	1,300	1,428 2	1,500	1,400	1,300	700	600	1,872 14	13,501

Colonel Camac's Detachment, for as this, as a sufficient Fund, had been appropriated to that Service, no other had been provided.

" When the Report of Mr. Francis's Return to Europe was current through the Country, by which the Rajah's Views were frustrated, he paid the Money, but the Mischief was already done; the Forces being almost starved for Want of Assets to defray their Expences.

" In the Month of October, a Body of Cavalry was thought necessary to join the Troops against Syndia; and the Governor General and Council applied through the Resident to Cheit Sing, desiring him to spare as many as he could, without injuring the Revenues of his own Country. Although he had about 3000 in his Service, he would barely agree to supply 250. At this Time I arrived at Benares with the Governor General's positive Injunctions to him immediately to send 1500, to be employed on any Service Government should point out.

" I used every Endeavour in my Power to convince him of the Absurdity of his Conduct and of the Prejudice it must do him in the Eyes of Government. I missed not a Day, in either conversing or writing to him on the Subject; and as often informed Mr. Hallings of the Substance of our Conversation. He would agree only to supply Five Hundred.

" Superadded to these Delinquencies, he was endeavouring to form Alliances with Powers inimical to our Interests, that he might secure to himself the independent Possession of these Countries, should we be worsted either by France or the Mahratta.

" The internal Police of his own Country was, beyond Precedent, infamous; Murder, Robbery, and Rapine, passed without Enquiry.

" Neither the Governor General's positive Orders, nor my most earnest Entreaties, had any Effect in procuring Justice to Individuals.

" His own Debaucheries were notorious, even to Crimes which we think degrading to Human Nature.

" In June last, 1781, Mr. Hastings left Calcutta, with an Intention of proceeding to Lucknow: I met him at Boglipore; he communicated to me his Dissatisfaction at the Conduct of Cheit Sing, and his Determination of obliging him to pay the Company a Sum of Money as the Forfeit of his Delinquency. On his Arrival at Buxar, he found Cheit Sing ready to receive him; but with a Force of 3 or 4000 Men—a Piece of Presumption in this Country, I believe, unexampled.

" On the 14th of August he arrived at Benares; and on the 15th, drew up a Paper in the Persian Language, recapitulating his many Offences. This he entrusted to me to deliver to Cheit Sing, demanding a categorical Answer to it within the Course of that Day. He received an Answer, indeed, but evasive and unsatisfactory; and, in Consequence, directed me to arrest him on the Day following. The Rajah's Palace, called Ramnagar, is on the Southern Side of the River, nearly opposite to Benares; but at this Period he resided in a small religious Building on the Banks of the River, and in the Suburbs of the Town, named Sewaly Ghaut: Accompanied by my Friend, Lieutenant Stalker, and about Sixty Orderlies, with their Swords only, I entered the inner Court, and found the Rajah in an open Room on one Side. I sat down with him; and after some trifling Conversation, desired him to be under no Apprehensions,—but, that it was the Governor General's Pleasure, that for the present, he should consider himself under an Arrest, and that all Resistance would be in vain, as he must see that he was entirely surrounded by my Orderlies, who would sacrifice him on the least Appearance of any Attempt of his own, or his People's, tending to an Escape; and that Two Companies of Major Popham's Regiment would arrive in Ten Minutes to take him into Custody. That, on the other Hand, if he submitted quietly, every Lenity, exclusive of Liberty, should be shewn him. He submitted,—beseeching me to return to Mr. Hastings with a favourable Report of his present Conduct; and declaring, that he was ready to comply with any Orders that Mr. Hastings might give him. After having delivered him into the Custody of Lieutenants Scott and Symes, who commanded the Two Companies before-mentioned, with Directions for posting Centries, and disarming and turning out of the Courts all his Followers, allowing only Six unarmed Servants, whomsoever he should name, to attend on his Person,—I arose from my Chair, and asked Mr. Stalker if he was ready to return?—but the Rajah, with a good deal of Importunity, requested that Mr. Stalker might be permitted to remain, as he was the only One of the Three with whom he was at all acquainted. I left him there, and returned to the Governor General with an Account of what had passed;—he seemed pleased at the ready Obedience which the Rajah had shewn to his Order; and drew up a Paper, in English, the principal Purport of which was, that Rajah Cheit Sing should deliver up his Forts, to be garrisoned by our Troops. That he should pay a certain Sum of ready Money to the Company as an Atonement for his past Misconduct. That he should dismiss those Persons who had been the Counsellors of his Contumacy. That he should settle his Country in such a Manner, as Government might have no Apprehension of his falling short in his stipulated Payments; and desiring him forthwith to send certain principal Officers to answer such Interrogatories as should be put to them.

" I was ordered to read this Paper to the Raja—As I was getting into my Palankeen, my Friend Major Palmer called to me, advising that I should take with me Mr. James Anderson, one of the best Persian Scholars in India, as he would be better able to interpret each Word in its precise literal Sense, and that the Paper required such Translation. I was sensible of the

Force of his Argument, and begged of the Governor to permit Mr. Anderson to be present at my Interview with the Raja.—He at last assented, but Mr. Anderson was not to be found; and after a Search of Two Hours, which was fruitless, the Governor, laughing, told me, that as I had left no other Person to entertain him, and my Company at Dinner, I had better write to the Raja that I would be with him by Half after Three, and in the mean Time that he should be under no Apprehension.

“ At this Instant a Letter arrived from Mr. Stalker, that several Boats of armed Men were crossing the River, and that by a Mistake of one of the Officers of the Two Companies, who were Guards over the Raja, they had not a single Cartridge of Ammunition with them.

“ A Reinforcement of one Company and Ammunition immediately was ordered for their Assistance; but before they could join, the bloody Business was completed. The Officers, after astonishing Proofs of Courage in their own Defence, and in their Endeavours to prevent the Escape of the Raja, were shockingly mangled and hewn in Pieces. But let me draw a Veil over so disagreeable a Scene, and only observe to you, that my Escape seems providential, as I should have met my Fate at the same Time, had not the Delays occasioned by the Absence of Mr. Anderson prevented my Return. The Raja escaped through a small Window, and crossed over to Ramnagar, and during the Night, fearful of an Attack, retired to his Fort at Luttifpore.

“ Two Battalions, under the Command of Captain Mayaffre, with four Guns and a Howitz, were ordered from Chunar Gur and Mirzapoor, to encamp within a short two Miles of Ramnagar, on the 19th of August, without any Knowledge or Enquiry into the Strength of the Place, the Avenues leading to it, or the Number of the Troops posted there. Captain Mayaffre rashly attempted to force his Way through the Town, that he might blow open the Gates of the Fort, and storm.

“ The Place is composed of a Number of small Alleys intersecting each other; some Stone and Brick Houses, and high Walls; from hence the Enemy kept up an almost continual Fire on our Troops, who behaved with their accustomed Bravery, and pushed to gain a more open Place. The second in Command, Captain Dosit, with seventeen out of the thirty of the French Chasseurs, whom he commanded, fell. Mayaffre now seeing the Impracticability of succeeding in his Attack, ordered a Retreat, but determined not to survive the Disgrace which would await him. In this Resolution, standing by one of his Guns, which he was endeavouring to fire, he was speared and cut down. The shattered Remains of his Two Battalions retreated to Chunar.

“ Our Situation was now very critical; our own Troops beaten; the Enemy flushed with Success, and we situated in a defenceless House on the Benares Side of the River, having only Three complete Companies of Sepoys, dispirited at the Loss of their Companions, for our Guard.

“ On the 21st, in the Evening, it was determined to remove to Chunar Gur, and this Resolve was in ten Minutes after put in Execution. We reached Chunar Gur at Day-break in the Morning. I shall here close my Account of Military Operations, only observing that Cheyt Sing was by the 20th of September entirely driven out of the Confines of these Provinces.

“ On the 27th of September, the Governor General arrived at Benares, and Myhipnerain the Grandson of Bulwan Sing, by the Daughter before mentioned, being legal Heir, was declared Rajah of Benares; but the yearly Sum stipulated to be paid to Government, is increased from Twenty-three Lacs to Forty, so in the End the Company will become Gainers by this Business, Seventeen Lacs, or One Hundred and Seventy Thousand Pounds per Annum.

“ I am,

My Dear Father,
your affectionate
and dutiful Son,
“ W^m Markham.”

Q. It being stated in that Letter, that Cheit Sing had been making Alliances abroad for the Sake of Independency, what Documents have you concerning those Alliances, with whom made, and how authenticated?

A. My only Reason for wishing this Letter to be read was, that if I had been inaccurate in any Point, the Court would be as well acquainted how I came to correct it as I was myself, and as Memory is certainly fallible, to shew how far that Fallibility interfered with the Evidence that I have given to the Court; with respect to the Answer to the Question, I understood from Mr. Graham, and others, that he had Intercourse with Nudjeef Cawn, and the Mahrattas. I did not think it sufficient Evidence to state to the Court further than I have done; and it is but Hearsay.

Q. Whom did you mean by, “ He had Intercourse?”

A. Rajah Cheit Sing I mean by “ He.”

Q. Explain to the Court what Settlement it is Mr. Hastings proposed to make of the Rajah's Revenue, so as to render the Payments more punctual, and to prevent any Irregularity?

A. I really cannot say, for I do not remember that it was ever mentioned.

Q. But

Q. But only in general ?

A. The Dismissal of some of his evil Counsellors ; but I cannot speak as to Particulars.

Q. What principal Officers were those who were to answer Interrogatories ?

A. Suddanund Buxey and the Mutsuddies, as I have stated before generally.

The Managers for the Commons desired the Question first put to the Witness on this Day might be read. The same was accordingly read by the Clerk as follows :

Q. You said that Two Lack of Rupees given to Mr. Hastings as a Present by Cheit Sing's Buxey had been applied to the Company's Service—Is that so ?

The Managers for the Commons said the Question they meant to put was,

Q. How do you know that ?

A. Mr. Hastings so communicated it to me, and said that it was paid into the Treasury of the Company, I believe, and afterwards when he communicated this Affair to Mr. Sullivan, one of the Court of Directors, he stated that he had appropriated that Sum to the Service of the Company.

Q. Have you the Letter to Mr. Sullivan ?

A. I have not.

Q. Who has ?

A. I suppose Mr. Sullivan's Executors ; I do not know.

Q. Have you any Copy of it, or do you know of any Copy of it ?

A. There was a Copy of it in my own Hand Writing, and some Time before I gave Evidence in the House of Commons upon that Subject, I had seen that Letter in Mr. Hastings's Possession.

Q. Can you produce the Copy ?

A. I cannot.

Q. Whether you know in whose Name it was entered in the Company's Deposits ; whether in the Name of the Company, or in the Name of Mr. Hastings ?

A. I believe in the Name of Mr. Hastings, but I remember the Expression in that Letter to Mr. Sullivan, that he could not have received it but upon the Company's Account.

Q. Whether this was a private Letter to Mr. Sullivan, or a public Letter to him, as One of the Court of Directors ?

A. I believe it was a private Letter to Mr. Sullivan, but Mr. Hastings in that Letter desired him to make any public or private Use of it he pleased.

Q. Was not Mr. Sullivan a Kind of Agent to Mr. Hastings in this Country ?

A. I do not know that he was, any further than that I believe Mr. Hastings made a free Communication of whatsoever happened in Bengal to Mr. Sullivan.

Q. Whether you have not heard that Mr. Hastings's Agent here was not to do any Thing without the Concurrence of Mr. Sullivan ?

A. I have ; that proves I should think, that Mr. Sullivan was not the Agent of Mr. Hastings.

Q. What Knowledge have you of the Application of 10 Lack of Rupees, which you have heard to be intended for the Company ; did you know any Thing about it, while you remained in India, and how ?

A. I did hear it in India, how I cannot say, but it was no Communication to me from Mr. Hastings ; I considered it as a Thing well known.

Q. Did you consider the Circumstance of the taking the Ten Lack by Mr. Hastings of the Nabob Vizier, as a Thing well known in India, at the Time ?

A. I should suppose it was a Thing well known a very few Months afterwards, as every Body had the same Means of knowing it that I had.

Q. From whom did you receive your Information that Mr. Hastings had received the Present of Ten Lack of Rupees from the Nabob Vizier, the Time when, as nearly as you can, and the Person from whom you had it ?

A. I really cannot inform the Court on the Subject, any more than I could who first informed me of the late Defeat of the French at Namur, or any other Circumstance not coming within my own Knowledge.

Q. State, whether Mr. Hastings, upon his Retreat from Shewallah or Benares, retreated in Order or in Confusion ?

A. Before we marched, there was a Confusion among the Servants and the Palanquins, and they missed the Road. I was desired to point out the Road to them, as I believe I was as well acquainted

acquainted with it as any Hircarra. I was in the Advanced Guard with Captain Holkham, and only once went back for Orders to Colonel Popham, when I thought they were in very good Order.

Q. Who closed the Rear?

A. I really do not recollect.

Q. What Dispositions were made for their Retreat?

A. I really cannot say what the Orders were—the Orders of Marching.

Q. What previous Orders had Mr. Hastings given to provide for an orderly Retreat—Whether you know of any, and what?

A. I do not; for as soon as I understood we were to march, I went upon my own Business, and to save what Furniture and Goods I could.

Q. Whether you know of any Order or Direction whatsoever, given by Mr. Hastings, to secure a safe and orderly Retreat of the English then at Benares, and their Attendants?

A. I do not know what Orders Mr. Hastings gave.

Q. Whether you know of any Orders whatsoever having been so given?

A. I do not know what Orders were given.

Q. The Question is, not what Orders were given, but whether you know that any Orders were given to secure a safe and orderly Retreat?

A. I have already stated, I was not with Mr. Hastings after the first Intimation that we were to retreat that Night; and therefore do not know whether any Orders were or were not given.

Q. Did not you receive Orders to lead one of the Divisions, or to guide them?

A. I thought the Question meant the Orders at Mahadew Dafs's Garden.

Q. Certainly?

A. I received no Orders to lead a Division, but as I knew the Road, I was desired by Major Popham, or Mr. Hastings, but I believe by Major Popham, to go with Captain Holkham.

Q. Do you know, or have you heard, what became of the Division which had mistaken its Road?

A. I believe the Division that is said to have mistaken its Way, was one coming to our Assistance from Chunargur.

Q. You were understood to say, that one Part of the Body which retreated with Mr. Hastings had mistaken its Way?

A. I do not know that any Part of the Troops mistook their Way.

Then the following Question, and the Answer of the Witness, were read by the Clerk as follows:

Q. State whether Mr. Hastings upon his Retreat from Shewallah or Benaris retreated in Order or in Confusion?

A. Before we marched there was a Confusion amongst the Servants and the Palankeens, and they missed the Road: I was desired to point out the Road to them, as I believe I was as well acquainted with it as any Hircarra. I was in the advanced Guard with Captain Holkham, and only once went back for Orders to Colonel Popham, when I thought they were in very good Order.

Then the Witness said,

I believe there is a little Inaccuracy; I was not desired to put these Servants and Bearers into the right Way, but the Line of March, and the Troops, with whom I continued, to Chunar.

Q. Have you heard whether or no some Part of the Body of the People that retired with Mr. Hastings from Benares, fell into the Enemy's Hands, with their Effects?

A. I believe I have already stated in my Evidence, that I detached some Hircarras to different Dependants of the English, warning them of our immediate Retreat;—these Hircarras, from Fear, I believe, did not carry those Messages. I do not know of any Effects that were lost, unless they were my own, and the Boats which the Governor General brought up with him. I believe myself, and my own Servants, to have been the principal Losers.

Q. Whether some of those Persons did not fall into the Enemy's Hands—any of those who were ordered, and had begun to retreat?

A. I do not recollect any Person, unless it was Mr. Barnett, who, as he afterwards told me, did come out of his own House to join us; but, apprehensive of an Attack being made upon us in our March, chose rather to trust his Person to Cheit Sing than to stand any Shot.

Q. Did

Q. Did not you hear, that several Persons were in the same Situation with Mr. Barnett, either taken by the Enemy in attempting to retreat, or prevented going out of the Town?

A. I all along understood the Question to mean—those that had already begun their March.

Q. Certainly; the Question means them: Whether you have not heard, that Persons under Orders of marching, or who had marched, were taken by the Enemy?

A. I do not recollect that any one of them fell in.

Q. Not one fell into the Hands of the Enemy?

A. Not that I know of.

Q. Have you heard?

A. Really, I don't believe that any one who had begun their March with us, were ever interrupted, or cut off from joining us.

Q. Whether there were not English, and Dependants upon the English, that continued at Benares, after the March of Mr. Hastings and his Troops to Chunargur?

A. I do not know of any English except the aforementioned Jew, Mr. Barnett. Of the Dependants of the English, several were taken in Benares.

Q. Have you heard that any of those who continued at Benares, and were so taken, were put to Death, or otherwise mal-treated by the Order of Cheit Sing?

A. My own Moulavy, my confidential Servant; the old Moulavy was, as I have stated in my former Evidence, put to Death by the Orders of Cheit Sing; I believe in Beechagur.

Q. Whether any of those left at Benares were put to Death by the Orders of Cheit Sing?

A. I do not know that there were any, unless it was the Hircarras going from Benares with Letters, several of whom were put to Death.

Q. Where were they put to Death?

A. It is more than I can inform the Court.

Q. Do you know it was by any Orders of Cheit Sing?

A. I understood there was a General Proclamation from Cheit Sing to put every Dependant of the English to Death.

Q. Whether any Persons were actually put to Death by his Orders?

A. I do not know a stronger Order than a Proclamation.

Q. Whether any one was put to Death in consequence of the Proclamation, or otherwise, who continued in the Town of Benares?

A. I believe not; they were in general sent Prisoners to Cheit Sing, and many of them were there tortured.

Q. What Knowledge have you of those Tortures?

A. I can mention it from the People who were tortured.

Q. What Persons were tortured?

A. The Man that was afterwards Aumeen of Benares, whose Name was Chump Roy, he told me, that when in Confinement at Lutteefpoor he had been tortured by Gunlocks.

Q. How soon after that Operation did you see him?

A. I did not see him till after his Release; how long that was I cannot say.

Q. Did you examine him to see if he had the Marks of that Torture?

A. I do not know that it would have left a Mark, for it is by the Continuation of the Instruments hanging to the Muscle that I have heard the Pain is produced, and not by any particular Wound upon the Flesh.

Q. Did he tell you it was by Order of Cheit Sing?

A. I cannot bring it to my Recollection, but I think he said the Rajah's Brother Soojaun Sing saw him under the Circumstances; there was another Man, his Deputy, whose Name I have forgotten, who was tortured in the same Way.

Q. Were those English, or Dependants of English?

A. They were not; the Man had been Aumcen of the Town of Benares, and he was supposed to be a Favourer of the English.

Q. Whether or no you are sure that it was in the Power of Cheit Sing, in the first Heat of Insurrection, to prevent many Things being done contrary to the Laws of War?

A. I believe from the Beginning that the Orders of the Rajah would have been implicitly obeyed.

Q. Whether, in the first Heat of the Infurrection, it was in the Power of Cheit Sing to prevent Acts from being committed which were contrary to the Laws of War? Do you mean that from the Beginning of the Infurrection he could have done that?

A. I do believe that the Rajah Cheit Sing might have prevented the Massacre of Shewallah; and from that Time forward, every Barbarity that was afterwards committed.

Q. How do you know that he might?

A. I understood the Question meant to ask my Opinion, whether I thought so or not; to that I answered.

Q. Upon what Grounds do you think so;—upon a tumultuary and general Infurrection?

A. I have never stated that it was a tumultuary Infurrection; I have stated that Buxey Sadanund wrote Letters, ordering Troops over from Ramnagur; I have said that those were regular Troops, and that the Inhabitants of Benares were not I believe one of them engaged in it.

Q. Were all the Forces that were employed against the Company regular Troops?

A. What I stated in my last Answer applies to Shewallah Ghaut; afterwards, when the Rajah retreated to his Forts, there was a general Order for every Renter to appear with as many Troops as they possibly could, and many People of the Country attended them.

Q. Then, there was nothing of a tumultuary rising at all; no People rose tumultuary in any Part of the Country—are we to understand that? Do you mean to confine yourself to Shewallah Ghaut, whether Cheit Sing did not make his Escape, and not continue to command there?

A. He ran away as fast as he could.

Q. Whether you recollect what Number of Men, Women, and Children, were taken at Bidjigur?

A. I don't know.

Q. Whether you have not heard that there were about 300?

The Question was objected to. The Question was waived.

Q. (*By a Lord.*) Was you at Bidjigur?

A. I was not there.

Q. Whether you know that the whole Treasure and Effects, taken at Bidjigur, were the Property of Cheit Sing, and that no Part belonged to his Mother, and to the other Women or Children, or Persons there?

A. I understood that the Property at Bidjigur belonged to Cheit Sing.

Q. From whom?

A. It is a Thing I never heard doubted till this Moment.

Q. Did you ever make any Enquiry upon that Subject?

A. Not I indeed.

Q. Whether any Steps were taken to ascertain this Point? Whether you know that Mr. Hastings, or any Body else took any Measures to ascertain to whom this Property belonged, in the Whole or in Part?

A. I do not.

Q. Do you know whether some of the Women in that Fort had Jaghires or Pensions upon the Revenue in Benares?

A. I do not know it.

Q. As you had Possession of the Revenues in your Hands for some Time, jointly with others, whether you have Reason to believe they had or had not?

A. I believe the Honble. Manager is rather misinformed in that Point, because it is an Assumption which I don't accede to.—I do not know they had.

Q. Have you heard that much of the Effects taken were set up to sale?

A. I believe when the Fort was taken, the Committee of Officers sold every Thing.

Q. From whom had you the Plate which you delivered, or knew to be delivered, to those unfortunate Women?

A. I really do not know who gave me the Plate, but I should rather imagine it was sent to me by Mr. Scott.

Q. The Question does not mean the Sword, but the Plate.

A. I do not mean the Sword, but the Plate.

Q. Have you seen any Inventory of the Quantity and Value of that Plate?

A. I do not recollect either having seen the Plate, or any exact Inventory of it.

Q. What

Q. What Age was you when you was directed by Mr. Hastings to new regulate the Customs at Benares?

A. I was not ordered to regulate the Customs at Benares, but to make a Statement of them.

Q. When you made the Statement of them?

A. I believe I was born on the 5th of April 1760.

Q. What Experience had you at that Time of Commercial Affairs of any Kind?

A. I certainly had no Experience in Commercial Affairs; but I certainly did not find myself at all unequal to so simple a Task as that of making a Statement of the Customs of Benares.

Q. With what Merchant did you advise upon that Occasion, or Mr. Hastings, to your Knowledge?

A. With Gopaul Dofshaw, Aretram Tewarry, who was Agent for the House of Oorjanje Nautjee at Bombay; Cassineery Mull, and I believe others.

Q. Whether those Persons were Merchants, and Bankers, and Money Dealers?

A. I believe that they were both Merchants and Bankers.

Q. Have you their Report; did they make any Report, and what, and where is it?

A. I sent down to the Council at Calcutta a very long and regular Account, comparatively between the Duties that had been collected by Cheit Sing, and those proposed to be levied, and afterwards carried into Execution. I enquired of Mr. Hudson, where that was, and he informed me it was not come home.

Q. Did those Merchants and Bankers advise the Regulations that were made?

A. I believe they approved most highly of it afterwards; but if the Question means, that the First Proposition of the Alterations came from them, it did not to my Knowledge.

Q. Whom did it come from?

A. I believe, but I do not speak to a Certainty, from the Order of the Governor General and Council to Mr. Fowke. I have already stated, that I don't speak this as a Certainty.

Q. But you do not know, that any of those Propositions originated from the Merchants and Bankers you speak of?

A. I said so before.

Q. Whether you do not know the Sunnufees, are generally reputed the most honest and wealthy Merchants in that Part of the World?

A. I do not particularly.

Q. Did you not hear that the Five per Cent. Duties upon the enhanced Value of the Book of Rates, had exhausted all the Profits of those Merchants, so as to oblige them to give up the Trade?

Question objected to.

Q. Do you know any Thing of it? Do you know of any Body giving up his Trade, and can refer it to that particular Fact?

A. I will read the Statement in my Letter, and, as well as I can recollect at this Time, the Duties were not levied, until, upon those Articles which were considered as objectionable at 5 $\frac{1}{2}$ Cent. the Duty was lowered to 2 $\frac{1}{2}$ —that is, that the Knowledge of the intended Duties was promulgated in the Country before there was an Attempt to levy them, and on the Account that the Affected were apprehensive of 5 $\frac{1}{2}$ Cent. upon certain valuable Articles, I wrote to the Board, stating my Apprehension that it would be too much, and I had the Orders of the Board to redress them—

Then the printed Minutes were shewn to the Witnefs, and he read as follows:

“ Honourable Sir and Sirs,

“ Benares, the 20th March 1782.

“ I do myself the Honour of transmitting you, according to the Orders of the Honourable Governor General when at Benares, Account Particulars of the Customs as designed to be levied, and of the Duty as levied by Rajah Cheit Sing.

“ You will perceive that, to preserve Uniformity and to point out whatever Difference there may be between the present Duty and that proposed to be levied in a more striking Manner, I have rated the Three last Columns on a Tungay, or Six Maunds, the Load which a Bullock is supposed to carry; as the former Method of collecting the Duty was on the Weight, not on the Value of the Goods.

“ I shall trust to the Candour of your Honourable Board for my Excuse in pointing out some Articles on which a Duty of 5 per Cent. will be too heavy, and by which the Collection would be required, viz. Mace, Cloves, Nutmegs, Cinnamon, and Silk.

“ The people who principally trade in these Articles are the Maratta Merchants, and a religious Sect called Ahceets, who generally land their Goods at Mirzapore, and from thence carry them

them by Land, and Bullocks into the Decan, or to Delhy; and they will find it more profitable to unload their Boats at Patna, and carry their Goods through Ramgur, than to pay so heavy a Custom as 5 per Cent. will amount to in the Road from Patna to Mirzapore.

" I know for certain, that on the Rumour being spread, in December last, that 5 per Cent. was to be levied on every Article, by the Directions of the Honourable the Governor General, that the principal Houses in the Decan immediately ordered their Gomastahs to stop all their Boats at Patna, and to send their Goods by the Rout above mentioned, if the Duty of 5 per Cent. was continued." (a)

Then the Witnesses said,

—There is another Letter of mine, I believe, to the Board, saying, that I had received their Orders, and that I had directed, on that Day, that those Duties should commence, and had made Proclamation of it through the Country :

Then a Book was shewn to the Witnesses, and he read as follows :

" Benares, 26th April 1782.

" To the Honble. Warren Hastings Esquire, Governor General, &c. Supreme Council Fort William.

" Honble. Sir and Sirs,

" I have the Honour to acknowledge the Receipt of your Letter, dated the 8th Instant, and have, in Consequence, notified to the Naib Dubetzy Sing, your Directions respecting the Establishment of the Customs, pointing out to him the particular Articles of Merchandize, on which the Duty of $2\frac{1}{2}$ per Cent. only, is to be levied. I have likewise informed the principal Merchants of Benares, by a circular Perwannah, of your Order on this Head.—I have also published the Mode for the Collection, and the Rate of Duties, by the public Cryer. (b)

" I have the Honour, &c."

Q. What Duties were paid, in the Interval between the Abolition of Cheit Sing's Duties, and the new Book of Rates instituted on the 26th of April ?

A. The Duties as collected by Rajah Cheit Sing.

Q. Are you sure that Five per Cent. was not also collected ?

A. Does the Question mean besides the Old Duties ?

Q. When were the New Duties first set on foot ?

A. I believe, as well as I can recollect at this Distance of Time, that the new Duties were laid on in April 1782.

Q. Did they begin to be collected at the very Time they were laid on ?

A. They did, and the old ones ceased; I may have mistaken a Week or Two.

Q. You have said, the Rate of Duties was promulgated in the Country before they were actually collected ?

A. They were—that was before 1782.

Q. Then were any of the new Duties collected before April 1782 ?

A. There were not any of the new Duties collected before April 1782.

Q. From the Time of making the Regulation to the Reduction to $2\frac{1}{2}$ $\frac{1}{2}$ Cent. were any Duties collected at all on the new Rates ?

A. The whole Duties, as collected by Cheit Sing, continued to be levied till the Imposition of the new Duties in April 1782, Two and a Half $\frac{1}{2}$ Cent. being taken off certain Articles.

Q. Was the 5 $\frac{1}{2}$ Cent. ever collected ?

A. I believe that 5 $\frac{1}{2}$ Cent. never was collected upon the Spices, and the other Articles that were reduced to $2\frac{1}{2}$.

Q. Are you sure they never were collected or demanded ?

A. I beg it to be understood, that the Collection of the Duties was not in my Province.

Q. Whether or no, both the old Duties, and the new did not take Place and were collected together at the same Time for any Period ?

A. I do not know they ever were.

Q. Whether the old Duties, with the 2 $\frac{1}{2}$ Cent. were not collected at the same Time ?

A. I should rather imagine by the Question, that the Honble. Manager has mistaken one Thing, which I wish to inform him of, namely, that the Aumcen of Benares had always collected $2\frac{1}{2}$ $\frac{1}{2}$ Cent. upon the Amount of the Duties levied, and which was Part of the old Duties; perhaps the Question alludes to that.

(a) Vide supra, Page 297.

(b) This Letter is entered in Book 557, P. 24.

Q. Whether, through the whole Country, and at Gauzepore, the old and the new Duties were not collected at the same Time?

A. I believe not.

Q. Whether, or no, before the Reduction, the Amount that was to be paid under one Name or other, was not Five Times what they had paid before the Establishment of the Custom-house in 1781, upon all the Articles which used to be charged before by the Bullock Load, and now charged *ad valorem*?

A. I should suppose not; I rather imagine that the new Duties were an Ease to the Trader than otherwise.

Q. Why the Five per Cent. *ad valorem* was laid on, which was obliged to be immediately reduced, as you say, before it could be collected,—upon what Ground was it laid on?

A. There are very many Things that one thinks of in the Closet that one does not carry into Execution, and so I imagine this Five per Cent. was in that Predicament, as I believe it never was levied upon those Articles, but was merely a Proposition, which, upon the Revival of it, was found to be excessive.

Q. Whether, or no, it was not publicly promulgated, and given in Charge to the Superintendants of the Customs?

A. As a Thing that was to be, it was.

Then, a Book was shewn to the Witnesses by the Managers for the Commons, and he was desired to read a Passage in the same, and to inform the House whether it was not substantially the same as the Manifesto which the Witnesses had spoken of. (a)

The Counsel for the Defendant objected.

The Witnesses was directed, first to inform the House, whether the Passage was the same as the one that was shewn to him on a former Day, and which he then said was a Forgery; and then to inform the House, whether the Contents were substantially the same as the Manifesto he had spoken of?

The Managers for the Commons informed the House, That they did not at present offer it as an authentic Paper, but as a Paper which the Witnesses had seen in India.

The Witnesses said,

From every Word I read here, I am more and more convinced it is a Forgery.

Q. (by the Managers) Whether you have not seen a Paper, in the Persian Language, substantially to the same Purport as this? Did any such Paper come to your Hands?

A. The Paper which I saw, was not mutilated, which this is.

Q. In other Respects, was it like it?

A. In other Respects, it was like it.

Q. Do you declare positively, that Cheit Sing could not intend to do Mr. Hastings Honour by the Train he had with him: Do you know any Thing of it?

A. I believe I have stated before, in my Evidence, that he did meet him with a large Force.

Q. Whether you can positively say, that that was not doing him Honour?

A. I considered it as a high Mark of Disrespect.

Q. Whether the tendering him the customary Presents was a Mark of Disrespect?

A. I do not know that there was any Present tendered to him.

Then, the Managers for the Commons read the following Passage:

‘Q. On his Arrival at Buxar, which was the Verge of my Country, I met him with all my principal People, in order to do him Honour, and tendered him the customary Nezers;’

And asked the Witnesses,

Whether, upon the Supposition of that happening, it would have been doing Mr. Hastings Honour?

A. I should suppose, that that very Question would prove the Forgery of the Paper.

Q. Whether the tendering the Nezers would have been a Mark of Respect, if tendered in the customary Manner?

A. Certainly, a Mark of Respect.

(a) Vide supra, Page 1722.

The Managers for the Commons, proceeding to examine the Witnesses to other Passages from the Paper, were informed, that if they contended that the Paper in Question could be made Evidence, they must take the Sense of the House upon it.

The Managers for the Commons were heard in Support of the Admissibility of the Paper, and concluded by desiring to know, whether the Circulation of a Paper not authenticated, but known to be in Circulation, was a Fact which they could be admitted to lay before the Court.

The Managers for the Commons were informed, That the Fact of the Circulation of such a Paper could not be admitted, it not appearing to what Part of the Charge such a Fact could apply.

The Managers for the Commons informed the House, That then they would press the Matter no further.

Q. (*By Managers.*) Whether you think it is a Proof of a Forgery of any Paper, that the Person who circulates it declares himself of Opinion, his own Acts are not criminal but meritorious.—If a Person circulates a Paper, justifying himself in his own Opinion, would you take that to be Evidence of its being a Forgery?

A. I do not apprehend the Question at all applies to this Paper, because I do not suppose that Cheit Sing ever saw the Paper.

Q. Whether you allege that, as one of the Grounds for your Opinion of the Forgery of this Paper—Do you call that a Proof of Forgery?

A. What I answered to, was Cheit Sing being supposed to say, that he came with a large Force as a Compliment to Mr. Hastings. I believe every Man who was ever in that Country must know, that an Inferior comes without any Parade, ought to come without any Parade, to his Superior. Therefore when it is said, that acting contrary to the Usages of the Country in which he lives, and in so acting, acting disrespectfully—when that is attempted to be converted into a Mark of Respect, I say it does prove, it was not the Writing of a Man in that Country.

Q. The Question is not whether it is true or not, or whether it was or was not a Forgery; but whether or no a Man's making the weakest Excuses for his Conduct in the World, is a Proof of Forgery?

The Managers for the Commons were informed, That the Witnesses had not stated, that he thought alleging Justifications could be a Proof of Forgery, but that the Paper had alleged Reasons of Justification so foreign to the Custom of the Country, that it was impossible a Man acquainted with the Customs of the Country, could so have defended himself.

The Witnesses said, "That is what I meant."

Q. (*by a Lord*) On a former Day, speaking of the Monthly Payments from Cheit Sing to the Company, you said that in the Months in which it was to be in Specie, Complaints were made, but not for the Months when it was to be in Bills.—Are you rightly understood?

A. I am.

Q. Then, what do you mean by the Words, "was to be," whether "was to be by the Sunnuds and Pottah," or by what other Agreement?

A. I believe it will be found in the Pottah and Caboolat of Cheit Sing, that the Stipulation of Government was, that they might either take the Monthly Salary, in Specie, at Benares, or that when they did not want it at Benares, Cheit Sing was allowed to give Bills upon Calcutta, at 51 Days Date.

Q. On a former Day you told the House, the Answer that the Chubdar had made to Rajah Cheit Sing. You said that the Chubdar, joining his Hands, said, "You are Rajah Cheit Sing. I am only Cheit Ram." Whether, according to the Custom of that Country, the Chubdar's joining his Hands was a Sign of Defiance, or of Respect towards Cheit Sing?

A. It was no Doubt a Mark of Respect to Cheit Sing, and as an Inferior in that Situation ought to speak to his Superior in that Country.

Q. You stated that an Order was sent to Lieutenant Burrell by Colonel Popham, at all Events to make his Way good into the Place;—namely, into the Place where Cheit Sing was then under Arrest;—and you also said, That either Mr. Hastings, or yourself in the Presence of Mr. Hastings, ordered the Chubdar to go to Rajah Cheit Sing, and to say, that if any Blood was spilt, he, Cheit Sing, was to answer for it. This Man, the Chubdar, and the Man carrying the Letter to Lieutenant Burrell, went together. Now, whether you know of your own Knowledge, whether that Order from Colonel Popham to Lieutenant Burrell, was sent by Mr. Hastings's Direction, with his Knowledge, at the Time, and with his Concurrence, or without?

A. I cannot positively answer; but I should rather imagine it was with Mr. Hastings's Knowledge.

Q. By

Q. (*By Managers*) With regard to that Behaviour of the Chubdar joining his Hands in the Manner you described, how do you know he did so?

A. It was related to me by some of the Persons who were within the Jaillie or Cutwally; but who that Person was, I do not precisely know.

Q. Whether you are sure that the Word "only" was in the Account that was given to you—namely, "You are Rajah Cheit Sing—I am only Cheit Ram?"

A. I will not undertake positively to say, whether that Word was there or not.

Q. (*by Counsel*) Whether you believe the Account contained in the Letter read this Morning by you to be true?—whether you have any Reason which has occurred since, to disbelieve that Letter?

A. The Honble. Manager divided that Letter very properly—into Things that were before my positive Knowledge, and Things stated as of my Knowledge: I have no Reason to doubt that the latter are true.

Q. Is there any particular Part of it which you wish to correct, of the Matter antecedent?

A. I believe there are some Things, but they are of no great Consequence, as they are merely Matter of History.

Q. You was asked, if you had received Intelligence of Cheit Sing's Correspondence with Nuljeeff Cawn and the Mahrattas; and you said, from Mr. Graham. Whether Mr. Graham, at the Time, was Resident at Benares?

A. He was.

Q. On a former Day you produced a Paper containing Memoranda for your Conduct at Benares, whether at the Time of giving you those Memoranda, or at any other Time, it was, that the General Directions for your Conduct to Cheit Sing were given you by Mr. Hastings; and particularly to endeavour to bring back the Rajah to a Sense of his Duty?

A. I do not know; I do not recollect whether it was particularly at that Time.

Q. (*by a Lord*) Were those your Directions?

A. At that Time, when the Memoranda were written, that Mr. Hastings gave me those friendly Admonitions respecting Cheit Sing? I should suppose it must have been in various Conversations.

Q. (*by Counsel*.) Did he, in fact, give you such Directions?

A. In my former Evidence I said so.

Q. You was asked, with respect to the Comparison between the Rajah's Expences and his Income, whether the Military Establishment kept up by the Rajah, was in consequence of any Orders for that Purpose from the Board, or his own voluntary Act?

A. It certainly was his own voluntary Act.

Q. Have you made any Calculations of the Savings of the Rajah, allowing for the Expence of that Military Establishment?

A. Upon a Question proposed to me by the Honble. Manager, I have been since induced to make a Calculation: I calculated it upon the last Five Years before the Expulsion of Cheit Sing.

Q. What is that Calculation?

A. I was asked upon a former Day, if I knew how much a Man and Horse cost a Month; I said I did not know, but was desired to mention some Sum nearly to what I imagined it would be; and I said 25 Rupees; I have enquired since, and I have heard that the Rajah would not pay more than 20 Rupees for his Horse. I calculated therefore 2,500 Horse at 25 Rupees a Month, would be annually Six Lacks: that 4,500 Foot at Four Rupees a Month would be 2,16,000 Rupees: For the Sake of an even Sum, I put the Officers at 34,000 Rupees, which, added together, will be 8,50,000 Rupees a Year; therefore, upon a Five Years Calculation, his Mulguzzarry would be One Crore 27 Lacks, and the Exchange 8,19,000. The War Subsidy for Three of those Years would be 15 Lacks; the Present of Two Lacks, with the Exchange upon it, would be 2,14,000 Rupees, the Military Expences for Five Years would be 42,50,000, which in the Amount of the Five Years will be 1,84,83,000 Rupees; the Gross Revenue of his Country would be 2,65,00,000, and deducting the 1,84,83,000 from that, the Profit in Five Years would be 80,17,000: I only state this as an Hypothesis in the Way it was put to me.

Q. What was the probable Amount of the Rajah's ordinary Expences, not contained in that Calculation, per Annum?

A. I should suppose One Lack and a Half of Rupees would be sufficient per Annum.

Q. In your Examination the other Day, you said that you calculated Cheit Sing to have saved, prior to the Imposition of Five Lacks annually, 11 Lacks; was that Calculation made in India, in consequence of an Inquiry ordered by you there?

A. Before asking me this Question, one was put, which I said I could not answer, which was, the

the Calculation of his Expences, as well as I recollect, but I meant to say, that 11 Lack was the Result of that Kind of Inquiry which I made; and I recollect, that that was my Opinion in India.

Q. In your Cross-examination you said, you believed Chiet Sing would have been able to pay that Fine spoken of by Mr. Hastings, if it had been imposed, leaving himself in Possession of a considerable Treasure?

A. Yes.

Q. Whether he could have paid that Sum without recurring to his landed Property at all, out of his personal Wealth?

A. I should suppose he could.

Q. Whether, in the Communications you had with Mr. Hastings at Benares, after he came up the Country, you collected from him, that the Amount of the intended Fine was absolutely fixed, or variable?

A. I could only collect that it was not absolutely determined, from the Expression Mr. Hastings made use of, when he mentioned to me, that he intended to take 50 Lacks: On my expressing some little Surprise at the Largeness of the Sum, and that he might not be correctly informed, what were the Revenues of the Country, he said, we will then talk that Matter over at Benares; and from his subsequent Instructions to me, which were never delivered by me to Cheit Sing, in which he ordered the Mutsuddies to attend him.

Q. From all that, did you collect his Intention to be fixed, as to the Amount, to the last Moment?

A. Mr. Hastings never expressed or said to me that he was not fixed, but as I stated before in my Evidence, I thought it possible at that Time that Mr. Hastings might have varied perhaps, from his original Intentions: but I do not think in my own Mind that he would have been right in so doing.

Q. Was there any Plan formed to dispossess the Rajah of his Zemindary, prior to his Rebellion?

A. I believe not.

Q. Do you believe he would have been dispossessed, if he had not rebelled?

A. I believe not.

Q. After he had rebelled, could he have been received back, consistently with the Honour and Interest of the East India Company?

A. In my own Opinion not.

Q. Was there any Notification to Cheit Sing, of any Punishment whatsoever intended to be inflicted upon him, beyond his being put under Arrest?

Q. There was not.

The Managers for the Commons objected to the Evidence.

Q. You said in Answer to a Question put to you, that you received Intimation from Doorgbijey Sing, that Sadanund had sent a Note to collect the Military at Shewallah, whether Doorgbijey Sing was at Shewallah at the Time?

A. I understood Doorgbijey Sing had been at Shewallah that Morning, but whether he was there at the Time of the Massacre, or gone before, I do not know.

Q. You said, that according to the Accounts you received, the firing from without at Shewallah began at the same Time as the Message was delivered by the Chubdar, and you likewise said, that what passed between the Chubdar and the Rajah was not visible to the Soldiers without; can you account for, why those Two Circumstances should happen at the same Time?

A. I have already accounted for it, by the Note and the Message being sent at the same Time.

Q. You said, that the Rajah proposed to give 500 Burkendasses, but you told him those would be useless to you; whether those 500 Burkendasses could have sufficed to have collected the Revenues of the Country for the Rajah?

A. I suppose they might.

Q. You was asked, respecting your Interference in the Police of the Country of Benaris, what Reasons had you for that Interference?

A. I believe I mentioned that I considered it my Duty so to do, both as Resident, and as a Man. Besides, that was One of the Stipulations in the Pottah to the Rajah, that the Police of his Country should be attended to, and if he did neglect that, I think, as Resident, I ought to have interfered in the Company's Affairs.

Q. Whether, during the Rebellion of Cheit Sing, any Intelligence was given to Mr. Hastings of Cheit Sing being assisted by any other Power in that Rebellion?

A. I understood that the Begums sent an armed Force to his Assistance, called Nudjeebs.

Was

Q. Was that Intelligence given to Mr. Hastings at the Time ?

A. I have no Doubt of it, because it was the common Conversation of us all.

Q. You spoke of Doorgbijey Sing having intended and attempted to expel a Class of People called the Cofficks, what Number of Persons did they consist of ?

A. I understood them to be 10,000 or 11,000 Souls.

Q. You stated that you was confidentially acquainted with Mr. Hastings's Sentiments towards Cheit Sing before he went up to Benares, and at Benares ; whether you ever discovered any the least Symptoms of a Disposition towards Cheit Sing on the Part of Mr. Hastings unfriendly or malicious, or any private Motive whatever, operating upon the Mind of Mr. Hastings towards him throughout ?

A. I do not think it possible, from what I have known of Mr. Hastings, that he was capable of any Thing malicious, or of any Thing self-interested. I have known him in public and in private Life ; I found him always most zealous wherever the Public was concerned ; perfectly careless of his own Interests ; I believe him to be the most virtuous Man of the Age he lives in.

Q. You was asked about the Treasure found at Bidjeyghur, the Fort of Cheit Sing, whether that Place was not the Place where Cheit Sing used to keep his Treasure ?

A. I believe he kept his principal Treasure at Bidjeygur.

Q. (by the Managers) Do you know any Thing of your own Knowledge, of the personal and civil Expences of Cheit Sing ?

A. I should imagine from what I did hear of them, that the Amount I stated is not very distant from the Fact.

Q. Answer directly to the Question—What Knowledge have you of the actual Expenditure of Cheit Sing ?

A. I can only judge from the Manner of his living—from what I understood was the Manner of his living ?

Q. Whether you have ever seen any Account of Cheit Sing's Expences, personal or civil ?

A. I have not ; if I had, I should have answered the Question directly.

Q. Whether, or no, Cheit Sing had not a prodigious Number of Women and Children, both of his own and of the Family to maintain ?

A. I do not know, that excepting the Four Women who came to Benares, and the Widow of Bulwant Sing, he had any to maintain ;—their Servants of Course.

Q. Whether you have not heard, that he had 300 Women and Children to maintain—The Question does not mean of his own ?

A. No ; I never heard it.

Q. Never heard it at all ?

A. Never heard it at all.

Q. Did you never hear what Number of Women and Children came out of the Fort of Bidjeygur ?

A. I believe I have already stated, in this Day's Evidence, that I do not know.

Q. Whether, or no, a Gentoo Prince, of great Rank, has not considerable Expences to pay in his religious Ceremonies ?

A. I do not know of any very particular Ceremonies that cost immense Sums. I believe the Hooly is the principal religious Ceremony. I have been present one of the Days of that Holiday ; and I did not see any Thing that should lead me to suppose it was very expensive.

Q. Whether they do not give great Gifts to the Bramins, and great Charities ?

A. That never came to my Knowledge.

Q. The Question is, as to the Custom of the Country ?

A. I believe, certainly, that they do keep Bramins ; and that Money is often extorted even from them by the Bramins ; but not to be mentioned as a large Sum of Money, among those we have stated.

Q. Whether he did not make considerable Buildings, and lay out expensive Gardens ?

A. He did.

Q. Whether the Number of Forts he kept up, did not require some considerable Expence in maintaining them ?

A. I should think, very little. I wish to state, that there was a considerable Quantity of Grain in Bidjeyghur at that Time ; but I do not know that it was always there,—that it had been always kept there.

Q. Whether you know any Thing at all of the Expence of maintaining the Horfe of Cheit Sing, of your own Knowledge?

A. I do not; I was only led to state it from the Hypothefis which the Honourable Manager himfelf put to me.

Q. Who told you, that the Rajah Cheit Sing had his Horfe at 20 Rupees a Month, and his Foot at Four?

A. I talked to Mr. Baber and Mr. Benn generally upon the Subject of Horfe; and the Refult of our Opinion was, that 20 Rupees would probably be as much as he would give. I confider it only as Hypothefis.

The Managers for the Commons defired, that a former Answer of the Witnefs upon this Subject might be read.

The Clerk accordingly read as follows:

I was asked upon a former Day, if I knew how much a Man and Horfe coft a Month. I faid I did not know; but was defired to mention fome Sum nearly to what I imagined it would be, and I faid 25 Rupees. I have enquired fince, and I have heard that the Rajah would not pay more than 20 Rupees for his Horfe."

Then the Witnefs was asked,

Q. Are Mr. Baber and Mr. Benn Officers of Cavalry?

A. They are not; but as the Queftion had been propofed to myfelf, who never had been in the Army, they were furely as likely to know as myfelf; they were Civil Servants.

Q. Were they Commiffioners for the Supply of Provisions for the Cavalry of Cheit Sing?

A. No.

Q. Whether you know any Thing of the Time of the firing, correfponding with the Time of the Chubdar giving his Message to Cheit Sing?

A. I was a Mile and a Half from the Place at the Time; but I have no Doubt but there will be further Evidence upon that Head.

Q. When Mr. Graham told you of the Rajah's Correfpondence, whether he fhewed you any Letter or Document to prove it?

A. I do not know that he did.

Q. At what Time did Mr. Graham tell you this? in what Year? as nearly as you can?

A. About the Year 1779, when I was his Affiftant at Benares.

The Witnefs was directed to withdraw.

The Counfel for the Defendant informed the Houfe, they would next produce a written Document, to prove that Doorgbidzey Sing, at the Time of his Death, remained indebted to the Company.

Read, from Book 448, already delivered in, the following Extract of a Confultation of the 12th April 1785, beginning at Page 432 of the fame Book.

Secret Dep.
Tuesday.

" Fort William, 12th April 1785.

" At a Council; Prefent,

The Honble. John Macpherson, Efquire, Governor General, Prefident;
John Stables, Efquire,
and
The Honble. Charles Stuart.

" Read, the following Letter from the Affiftant to the Refident at Benares.

" To the Honble. John Macpherson, Efquire, Governor General, &c. Members of the Supreme Court.

Affiftant at
Benares,
26 March.

" Gentlemen,

" I have the Honour to inform you, that Babboo Durkbidzy Sing, the Father of Rajah Myhip-narain, died in Benares on the 25th instant.

" I have the Honour to be,
Honble. Sir, and Gentlemen,
Your moft obedient

" Benares,
March 26th 1785.

humble Servant,
" Jn^o Benn,
Affiftant to the Refident of Benares."

" Baboo

" Baboo Durbidzy Sing being, at the Time of his Decease, considerably indebted to the Company, the Board must suppose that the Resident at Benares has taken the most proper and effectual Measures for recovering the Amount thereof; but to meet the Possibility of the contrary,
• " Ordered, That the Secretary do require that such Measures may be taken immediately.

(Signed at the End of the Consultation)

" John Macpherfon,
John Stables."

The Counsel for the Defendant stated, That they should next read a Letter from the Defendant to the Rajah Cheit Sing, on the Subject of the Police of Benares.

Read, from Book 32, the following Letter from the Governor General to Rajah Cheit Sing, dated the 17th January 1781, beginning at Page 2 of the same Book :

" To the same.

Written D^o (a)

" Great and frequent Complaints have been made to me of the disorderly State of the City of Benares especially, and of the other Districts of your Dependency, from the entire Neglect of Justice, and of the ordinary Means of Security : It has been represented to me, that Robberies and Murders are daily committed with Impunity; even your own Servants and Officers of high Trust under you have contributed to these Disorders, and have not yet been brought to Punishment, notwithstanding the reputed * Representations which have been made, and a peremptory Order from myself, to which you have even returned no Answer. On these Subjects I have given full Instructions to Mr. Markham to inform you what will be necessary for your future Guidance, and shall expect that you pay such Attention to these Points, that the like Evils may no longer exist, nor your Reputation, nor the Reputation of the Company which is connected with it, suffer from their Continuance." * Sic in Orig.

The Managers for the Commons desired the Counsel for the Defendant would state whether they had the Answer to this Letter.

The Counsel for the Defendant informed the House, they were not aware that any Answer was written.

The Counsel for the Defendant stated, That they should next read a Letter from Mr. Markham to the Defendant, dated April 1, 1782.

Read the same accordingly, from Book 557, already delivered in, beginning at Page 19 of the same Book.

" Benares, 1st April, 1782.

" The Honble. Warren Hastings, Esquire.

" Sir,

" It is with much Concern that I find myself obliged to inform you of the ill Behaviour of Durbetzy Sing, and its melancholy Consequences on the Morning of Yesterday.

" The plain Statement of the Case is as follows :

" A Body of armed Men, to the Amount of an Hundred and fifty or Two hundred, entered the Town of Benares, and attempted to carry off by Force the Person of one Buffunt Lott, whom * Durbetzy Sing affirms, is indebted to him on Account of Revenue. * Sic in Orig.

" The Man assembling his Friends opposed Force by Force : In the Skirmish, an unconcerned Spectator was shot through the Body, and Two of the Naibs Party were desperately wounded.

" Immediately as the Intelligence reached me, I directed Captain Hogan to parade Two Companies of Sepoys; and in a Message to the Chief Magistrate informed him, that a Military Force, if he judged it necessary, was ready to march to his Assistance.

" Durbetzy Sing, on my Requisition, delivered up Three People who were the Leaders of his Party in this Disturbance, and I have sent them to Ally Ibrahim Cawn, that Justice may be done upon them according to Law.

" It will, however, be an hard Case, should these poor Wretches suffer capitally for the Obedience which they paid to the Commands of the Naib; they were ignorant of the Illegality of the Service on which they were sent. Durbetzy Sing is the Person criminal, on whom the whole Censure ought to fall, and the Punishment be inflicted.—His direct Procedure would have been either to have applied through me, or to the Chief Magistrate, for the Inforcement of the Payment of the Money due to him, or for the Delivery of the Person of his Debtor.

(a) The Address and Date, by Reference back, appear to be, To Rajah Chiete Sing, written 17th Jan. 1781.

“ In such a Case there is an absolute Necessity for supporting his Claim, lest the Collection of his Revenue should be impeded ; but it is equally as incumbent on me to watch, with a jealous Eye, lest any Encroachment should be made, as in the present Case, on the Authority of the Chief Magistrate, as the Peace and Quiet of the Town, in a great Measure, depend on the Reverence and Respect with which his Character is considered, and the Knowledge which the Public ought to have of his Independence from any Controul of the Rajah.

“ I should be wanting in Equity to Ally Ibrahim Khan, was I to be silent on the Moderation and Propriety of his Conduct. Since he has been vested with his present Appointment, he has, I believe, given universal Satisfaction ; and by how much it was more difficult for him to escape from Censure in a Town where the Institution of an Adawlut was new, and its Powers hitherto unexperienced, by so much he deserves Applause from you and the Honble. Board, and I hope it will be given to him, as the just Reward of his Merit.

“ I have the Honour to be, Sir, &c.”

Then the House adjourned to the Chamber of Parliament.

Die Mercurij, 6° Junij 1792.

THE Lords being in their Places, the House resumed, the usual Proclamations made, and the Defendant appearing at the Bar, the Lord Chancellor said ;

“ Gentlemen, you who are of Counsel for the Defendant may proceed in his Defence, and the Lords will be pleased to give Attention.”

Then, Lieutenant DAVID BIRRELL was called in, and being sworn, was examined as follows :

Q. Was you in the Zemindary of Benares in the Year 1781 ?

A. Yes, I was.

Q. At what Time did you enter the Zemindary ?

A. Some Time about the Middle, or the End of June.

Q. Was you then serving with the Detachment under the Command of Major, now Colonel Popham ?

A. I was.

Q. Where was you stationed from the End of June till the 16th of August ?

A. With the Detachment under the Command of Major Popham at Mirzapore ?

Q. What Distance is Mirzapore from the City of Benares ?

A. Between Thirty and Forty Miles.

Q. Did you receive any Orders, on the 16th of August 1781, from Major Popham to march with Ammunition to the Relief of the Two Companies who were then at Shewallah ?

A. A Detachment from Major Popham's Detachment was sent from Mirzapore to the Neighbourhood of Benares early in the Month of August ; I was with that Detachment, and we encamped at Murwaddy.

Q. What Distance is Murwaddy from Benares ?

A. About a Mile and an Half.

Q. Were the Two Companies that were detached to put the Rajah under an Arrest, composed of the Grenadiers of the Army ?

A. They were solely of Grenadiers.

Q. Did you on the 16th of August——

The Managers for the Commons objected to the Question.

Q. What Orders did you receive from your Commanding Officer, Major Popham, on the 16th of August in the Year 1781 ?

A. I was sent by Lieutenant Hamilton, who then commanded at the Detachment at Murwaddy, with a Company of Seapoys to escort Ammunition to where I was told the Grenadiers were.

Q. What Force had you under your Command ?

A. A Company consisting of from 70 to 80 Men.

Q. Did you march with that Force in consequence of those Orders ?

A. I did.

Q. Taking Ammunition with you ?

A. I had several Barrels of Ammunition, which I was to deliver over to the Grenadiers.

Q. What happened to you in your March to the Rajah's Residence ?

A. About a Mile and an half, or nearly so, from Murwaddy, I entered a Village, at the Extremity of which I found a large armed Force.

Q. Of what Number, as far as you could ascertain from their Appearance, did this armed Force consist?

A. As far as I can judge, there were from 1,200 to 1,500 Men; they were not all clothed alike, or in regular Order, so that I cannot judge nearer than that Number—but among this Body were a great many Seapoys—People habited and clad like our own Men.

Q. Was this Force drawn up apparently to oppose your Progress?

A. I understood it perfectly so.

Q. What did you do upon this?

A. I wrote a Note, and dispatched it, by a Man who accompanied me on Horseback, to Major Popham, informing him of the Appearance, and requesting his Orders how I was to proceed; that in the mean Time I would have the Company ready whatever they might be, whether to enter the Place with Force or not.

Q. What Distance was this from Shewallah Ghaut, where the Rajah then was, from where you halted?

A. I afterwards, by knowing the Distance, judged it to be about Two or Three hundred Yards.

Q. What Orders did you receive from Major Popham, in consequence of your Application to him?

A. To force my Way in.

Q. Did you upon this, attempt to force your Way in?

A. I did.

Q. What happened upon your attempting to advance?

A. On receiving Major Popham's Order to advance, I selected some of the steadiest Men about my own Person, and advanced at their Head; knowing the defenceless State of the Grenadiers, I was unwilling to precipitate Matters, dreading the Consequences that might have happened to them. The Village was very narrow. The Road did not admit of any tolerable Front being presented to these People; I was therefore obliged to march them on in nearly the same Order that I had come down with them. Upon getting beyond the Extremity of the Village, a Body of Men that were posted to the Left of me, fired. They killed and disabled almost the whole Party that was clear of the Village, myself excepted.

Q. At this Moment, had the Company under your Command fired upon those Men, before they fired upon your Forces?

A. There was not a Musket taken from a Shoulder of my Men until they received the Fire of the Rajah's People.

Q. Did they then fire upon you and your Party, immediately upon your attempting to advance?

A. After I had advanced a few Paces I received their Fire.

Q. Were the Persons who thus fired upon you and your Party, the Populace and the Mob of Benares, or the regular armed Forces of Cheit Sing?

A. I have already said, that Part of those upon the Left were clothed like our own Men: The Rest were armed in the regular Way of the Country. I don't conceive an Inhabitant of Benares was there.

Q. Was you at this Time so near Shewallah, that you must have heard any firing if it had happened there?

A. I must have heard the firing, had there been any within the Enclosure.

Q. Had any firing taken place within the Enclosure, before you was yourself fired upon?

A. None.

Q. On receiving the first Fire from the Enemy, what afterwards happened to the Men under your Command, or what became of them?

A. Upon receiving the Fire, which killed several of those in Front, the others fell back. I then took Possession of some Huts to the Right and Left of the Road, which were without Roofs, the Walls of which afforded a Parapet to the Men, a Breast Work. From these two Places I kept up a constant Fire upon the Party who opposed me, upon the Body of Men to the Left; and at last cleared the Place of them.

Q. Did you then march on to the Palace?

A. I did.

Q. What did you discover when you arrived there?

A. A most dreadful Scene of Carnage; the Gateway which led into Shewallah, into the Palace, crowded with dead and dying Sepoys; the Body of my intimate Friend Mr. Symes lying very near them, mangled in a most shocking Manner. I then went forward, between the Garden Wall

Wall and the Place of Worship, to the inner Court; there I discovered more of the Sepoys lying in the same Condition, and the Bodies of the other Two Officers, Lieutenants Stalker and Scott, which bore Marks of the most savage Violence—In about an Hour, Major Popham arrived with the Remainder of the Detachment from Murwaddy.

Q. Did you, after this, continue with Mr. Hastings at Benares, till he left it on the 21st of August?

A. I did.

Q. Were there any Reports brought to you occasionally, during that Day, of an intended Attack by the Rajah's People upon the Quarters where you then were?

A. I did hear of such Report.

Q. Did you in consequence retreat in the Evening of that Day to Chunar?

A. We did.

Q. What was your Employment during the Time of this Retreat?

A. I was entrusted with the Charge of the Rear Guard.

Q. Was it a Flight, or a Retreat regularly conducted?

A. The Rear, where I was, went off in regular Order, and continued so.

Q. In a Letter, signed Thomas Blair, and addressed to the Governor General, dated the 4th of September 1781, which is in the printed Evidence, Page 201, there is this Passage,—‘The Grenadiers were led on by Lieutenants Felling, Birrell, and Murray—I must beg Leave to mention them in the warmest Manner, for their gallant, steady Conduct.’—And in Page 202 this Passage,—‘I take the Liberty to mention Lieutenant Birrell's Conduct during the Whole of the Action, as deserving the highest Praise from me.’—Whether you are the Lieutenant Birrell spoken of in this Letter?

A. I am the Person that Captain Blair does the Honour to mention.

Q. You being present on the 23d of September 1781 at Pateeta, what was the Situation of the Enemy upon that Day?

A. They were drawn out to a considerable Extent.

Q. Were they encamped near the Town or Fort of Pateeta?

A. They were encamped within a little Distance of Pateeta.

Q. Can you state what their whole Number appeared to be?

A. I judged there were between Four and Five thousand Infantry, and a Body of Cavalry appeared upon one of their Flanks of several Hundreds.

Q. Did this Cavalry occasionally threaten to charge the British Line?

A. We were in that Situation from the Darkness of the Morning, at least I did not perceive any direct Attempt to charge; but they were so near, I expected it every Minute.

Q. How many Pieces of Ordnance had they?

A. We took Four—Two I believe got away.

Q. Did you, heading the Grenadiers, storm their Guns?

A. I did.

Q. Were there many of the English Forces killed and wounded by the Troops of Cheit Sing on this Occasion?

A. There were about 100 killed and wounded, and nearly an equal Number of each.

Q. Was you afterwards at the Attack upon the Fort and Town of Pateeta?

A. I was.

Q. Which took place on the 20th of September 1781?

A. I was.

Q. How long were you encamped before Pateeta?

A. Between Three and Four Days before the Place was taken.

Q. Were there any Prisoners made during this Time, belonging to the Enemy?

A. I recollect Two People being brought in by some of our Picquets an Evening or Two before the Place was stormed.

Q. In what Uniform were those Men dressed?

A. They were dressed in a long blue Gown, a Dress peculiar to the Country; armed in a Style somewhat different from the common Country Soldiers, with the Matchlocks and Tulwabs.

Q. Were they dressed in the Uniform of the Nudjees?

A. They themselves, on being questioned, said they were Nudjees. I have since understood, that was the usual Dress of the Nudjees.

Q. What

Q. What Account did these Men give of themselves, at the Moment when they were taken in Arms against us?

A. They said, they were Part of a Body of 500, who had been sent down by the Begums from Fyzabad to assist the Rajah.

Q. Was you afterwards with Major Popham before Bidjeygur?

A. I was.

Q. How long did the Siege of that Place last?

A. Upwards of a Month.

Q. During this Time, were our Men occasionally fired upon, and occasionally killed?

A. They were, there was a constant Fire kept up from the Fort.

Q. Did you continue in Benares after Peace was restored?

A. I was several Years belonging to the Station of Chunar, in the Zemindary of Benares, after Matters were settled.

Q. Were the Inhabitants generally satisfied or dissatisfied with the general Changes that had taken place?

A. I believe they were very well satisfied, as far as I had any Opportunity of knowing.

Q. While you continued in India, had Information arrived there of Mr. Hastings being accused in this Country for his Conduct in India?

A. It had.

Q. Before and since that Time, in what Estimation was Mr. Hastings held by the Natives of that Country?

A. Mr. Hastings among the Natives of that Country arrived at a Degree of Pre-eminence which, I believe, no European had ever done before him.

Q. Was he a Man, among the Natives of India, generally loved or hated?

A. I have ever understood they looked up to him in Terms of Respect and Love.

Cross-examined.

Q. Whether you kept any of those Persons whom you took in the blue Uniform, to depose to the Fact of their being employed by the Begums?

A. I never said I took the People.

Q. By whom were they taken?

A. By some of the Sepoys.

Q. By whom were you told that they were dispatched by the Begums?

A. I heard them say so.

Then the above Question and Answer were read—

Q. By whom were they taken?

A. By some of the Sepoys."

Q. Who were the indentical Persons that told you so?

A. Does the Question mean their Names?

Q. Yes?

A. I know nothing of them: They were Two Prisoners brought in under such a Description.

Q. Where were they examined?

A. It was in the Battery, in the Battery before Patetta.

Q. What became of them?

A. I do not know.

Q. Were their Accounts taken down in Writing?

A. We had other Things to do: They were not taken down in Writing.

Q. Did the Prisoners continue in your Hands, or were they released?

A. I have already said, I did not know what became of them.

Q. Did you inform Mr. Hastings of this Report of the Prisoners?

A. No; it was no Part of my Duty I conceive.

Q. Did you inform your Commanding Officer?

A. I was not alone; there were several Officers present who commanded; I heard it as an Individual.

Q. If it was in the Battery, and you was so engaged as to make no further Enquiry, how came you to enquire after those who sent them?

A. The Question was put by the Officer commanding, as a very natural one, I think.

Q. During

- Q. During the Time when the Battery was firing, was it?
A. There was no firing at that Moment.
- Q. Do you know whether any of those supposed Nudjeebs ever had been kept Prisoners, after the Engagement?
A. I have already answered, I do not know what became of them—I do not know.
- Q. Can you fix the exact Time when you was attacked, upon your March from Murwaddy to Shewallah Ghaut?
A. It was about Two o'Clock—I cannot speak positively.
- Q. When you came into Shewallah Ghaut did you find the Rajah there?
A. No.
- Q. Or any of his Troops?
A. Nor any of his Troops, in the Place.
- Q. Nor Servants?
A. Nor Servants.
- Q. What Sort of Wounds did you observe upon the Company's Sepoys who were killed in the Two Courts?
A. I did not examine them particularly; but there were several Wounds, I saw, that had been done with a Tulwar—with a country Sword.
- Q. Then, the Wounds appeared to have been made by sharp Arms?
A. I did not examine them particularly; I saw several of them wounded in that Manner.
- Q. Whether you can undertake to swear, that any of them appeared to have been killed by Fire Arms?
A. I did not examine them, therefore I cannot say as to that Particular.
- Q. You have said you received an Order from Colonel Popham, to force your Way.—Was that Order in Writing?
A. I do not recollect it was in Writing.—The Note I wrote was with a Pencil; but whether it was returned in Writing or Pencil I don't recollect; it was brought by a Jemmadar Hircarra of Mr. Markham's, the Person who conducted me down.

The Witness was directed to withdraw.

The Counsel for the Defendant desired Colonel William Blair might be called in.

COLONEL WILLIAM BLAIR was accordingly called in, and being sworn, was examined, as follows:

- Q. Whether you was in the Province of Benares in the Year 1781?
A. I was.
- Q. Was you there before the Rebellion, and in what Place?
A. I came to Chunar, where I commanded, in April 1781.
- Q. How long did you continue to command at Chunar?
A. Almost Three Years.
- Q. Was you employed against Cheit Sing during the Rebellion?
A. No. I commanded in the Garrison of Chunar.
- Q. Was you at Chunar when Mr. Hastings came there from Benares?
A. I was.
- Q. Do you recollect any Intelligence given to you, prior to the Arrival of Mr. Hastings at Chunar, at that Time.
A. I think on the 21st of August, the Day on which I dispatched a Battalion of Sepoys under the Command of Captain M^c Dougal, to the Assistance of Mr. Hastings at Benares, Three different Persons came to me during that Day, total Strangers, and gave me Information, that a large Body of Troops were intended to make an Attack upon the Garrison that Night. I did not entirely credit the Information they gave me, although I did not totally reject it.—They told me several of the Commanding Officers Names, and that the Rajah was to lead them on in Person; that they amounted to between 20,000 and 30,000 Men, and were provided with Ladders to escalade the Fort in the Evening. After the Battalion sent by me had crossed the River to march to Benares, my own Jemmadar Hircarra told me the Town of Chunar was much alarmed, and that many of the Inhabitants were flying the Place upon a Suspicion that Cheit Sing's Army was upon the March towards it. I gave such Orders as I thought necessary, to prevent a Surprise, and to oppose the Enemy with Vigour if an Attack was made. No Enemy appeared during the Day,
nor

It was the smallest Alarm given during the Night. On the next Morning Mr. Hastings, with his Party, arrived at Chunar; and when I understood the Danger he had been in, and the Gentlemen with him, it then crowded into my Mind, that all this Information, which I had received the Day before, was intended to prevent my sending Assistance to Mr. Hastings; and in further Confirmation of this Conjecture, when Captain M'Dougal returned the next Day with his Battalion with Mr. Hastings, and made the Report of the Troops under his Command; he also reported to me, that upon his March to Benares the Day before, several People came to him with Information that a large Body of Troops were waiting at the Village of Beetarburn, in order to prevent his March to Benares; that he gave such Orders as he thought necessary to prevent being surprised, and proceeded upon his March, but met no Enemy, nor with any Kind of Interruption.

Q. Were the Persons who brought this Intelligence to you, discovered afterwards?

A. No; I never could discover them, though I did every Thing in my Power to find them out.

Q. How long did Mr. Hastings continue at Chunar, while you was there?

A. I think he returned about the Middle of September, but I am not certain.

Q. Did you, in the Course of the Rebellion, see any of the Ammunition taken from the Rebels?

A. I did; and sent a Box of Ammunition to the Presidency, to the best of my Recollection containing Cartridges with Round Shot for Six Pounders, Quilted Grape Shot, Double Headed Shot, and Chain Shot.

Q. Do you recollect whether the Description of this Ammunition was good, or otherwise?

A. It seemed to me to be of a very good Quality; and most of the Shot seemed manufactured in Europe.

Q. Do you remember, while Mr. Hastings was at Chunar, receiving any Intelligence of Assistance given to Cheit Sing, during the Rebellion, by any other Power?

A. I had heard it universally reported, that the Begums sent Assistance to Cheit Sing from Fyzabad; I did believe it then to be true, and do so still.

Q. Had you any Opportunity of observing what was the State of Cheit Sing's Forts, prior to the Rebellion?

A. I never saw any of Cheit Sing's Forts, prior to the Rebellion, except the Fort of Ramnagar upon the Banks of the Ganges; and he was then building Two Towers of considerable Strength at that Time.

Q. At what Time was that?

A. In the Month of April 1781, when I first arrived.

Q. How happened it that you did not see any other of the Forts of Cheit Sing, except the One in Question—the One you have mentioned at Ramnagar?

A. I have always understood that Cheit Sing's Forts were industriously kept from the Knowledge of the English Officers; and I never heard of any Officer, or of any Englishman, who ever saw any of them except this Fort, till he was expelled from the Zemindary.

Q. During the Troubles at Benares, were the Troops under your Command regularly paid, or in Arrear?

A. They were Five or Six Months in Arrear.

Q. Do you know of any Endeavours on the Part of Cheit Sing, to induce the Sepoys under your Command to desert?

A. There was a general Apprehension of the Consequences of the Arrears of the Sepoys, from a Belief that Cheit Sing endeavoured to bribe them with pecuniary Rewards.

Q. Do you remember discovering any particular Circumstance confirmatory of that Report?

A. I remember seeing it written upon the Walls of my own Garrison, "Cheit Sing will pay us our Arrears, and give us Bounty besides." I also remember, Mr. Hastings sending me a Note one Morning, begging, in the most earnest Terms, that I would get 2,000 or 3,000 Rupees to satisfy the Sepoys, as they were become very clamorous, and that he did not know what the Consequence of an Hour's Delay might be.

Q. Do you recollect whether the State of the Troops in general, was similar to those under your Command, with respect to pay?

A. I believe they were all in Arrear more or less.

Q. Was there, or not, at that Time a considerable Pressure for Money, a great Distress in the Army?

A. A great Distress in the Army for Money, as far as I understood.

Q. Did

Q. Did you observe in the Army, or in any of the Troops under your Command, or in any other Part of the Army, a Disposition to mutiny on Account of the Arrears?

A. No, I cannot say I did, an actual Disposition to mutiny, though Discontents were daily mentioned.

Q. Were they in such a State as to endanger that, if the Arrears continued?

A. I think exceedingly so.

Q. Did you ever discover any Appearance in Mr. Hastings of personal Resentment against Cheit Sing?

A. Never.

Q. After Cheit Sing had broke out into Rebellion, could he have been received back again into his former Situation?

A. I think if Mr. Hastings had accommodated Matters with Cheit Sing, and had re-inflated him in his Zemindarry, after the Massacre of our Troops at Shewallah Ghaut, and the deliberate Murders which he afterwards committed upon our Soldiers, and the sanguinary Mandates which he issued, I think it would have been degrading to the British Nation.

Q. Was the State of our Affairs, at the Time of the Rebellion, such as might encourage a Hope of Independance on the Part of Cheit Sing?

A. I think his Success at Shewallah Ghaut, and the Victory over so considerable a Detachment as that which was under Captain Mayaffre, together with the ready Junction of his dependant Zemindars, gave him great Hopes of becoming independant, as I believe he expected foreign Assistance, from his great Command of Money.

Q. Was Cheit Sing joined by his dependant Zemindars?

A. He was.

Q. You are understood to have said, that you was Three Years in that Country?

A. I was very near Three Years.

Q. How long altogether was you in India?

A. Between 25 and 26 Years.

Q. From what Time, to what Time?

A. I went first out to India in the Year 1754, I staid then till the Year 1757, and then returned to England; I went back to India again in the Year 1768, and returned to England in the Year 1788.

Q. During the Whole of your Residence in India, in what Estimation was the Character and Government of Mr. Hastings in India?

A. I have always heard Mr. Hastings spoken of as a Man of a benevolent and humane Disposition; as a wise and able Servant of the Public. Mr. Hastings's Conduct, in his public and private Life, as far as I have known and understood, affords the strongest Proofs of his Talents to govern that Country, and of his being a worthy and benevolent Character, a worthy and honourable Character.

Cross examined.

Q. From whom did you hear that the Begums assisted Cheit Sing?

A. I did not know it of myself, but it was the universal Belief every where, in every Company where I was, and I never doubted it; I know nothing official of myself.

Q. Whom did you hear it from at all?

A. From every Body that talked upon the Subject.

Q. From what Person, competent to give you Information of their own special Knowledge of the Matter, did you hear this Account?

A. I have already said, that it was the general Belief every where.

The Managers for the Commons desired the Question might be read by the Clerk.

The same was accordingly read.

The Witness said,

I have already said, that every Person with whom I conversed was of that Opinion, and I never heard it doubted till my Arrival in this Country.

The Managers for the Commons desired the Question might be read.

The same was accordingly read.

The Witness said,

I have already answered the Question.

Q. From

Q. From what one Person, competent to know this Matter from his own Knowledge, did you ever hear any Thing upon the Subject; do you recollect any Body who told you this, whom you think competent to give an Answer upon the Subject?

A. I think I have heard Colonel Popham.

Q. Did you ever ask Colonel Popham how he came to know it?

A. I do not recollect that I ever did.

Q. Did you ever use any Means to ascertain the Fact?

A. No Means to ascertain it; for I did not doubt it.

Q. What Reason had you not to doubt it?

A. I might as well doubt the Rebellion in Scotland in the Year 1745, as I did not see it.

Q. Whether the Transaction was not recent; and whether you was not within a little Distance of the Scene of Action?

A. I have said, that I had no official Information on the Subject.

Q. Whether you informed Mr. Hastings of the Accounts you had received, and to which you gave Credit?

A. I never informed Mr. Hastings, because I have heard him often talk with Certainty on the Subject?

Q. Did Mr. Hastings make any, and what Enquiry, to your Knowledge, of the Truth of that Fact?

A. I do not know positively what Enquiries he made.

Q. Whether the Nabob of Oude was not at, or near Chunar, at the Time you commanded at that Fort?

A. He was at Chunar at the Time I commanded.

Q. Do you know that Mr. Hastings endeavoured to clear up that Point in any Conference with the Nabob?

A. I do not know.

Q. Or with his Minister Hyder Beg Cawn?

A. I was not with Mr. Hastings at any of his Conferences with the Nabob, or with Hyder Beg Cawn.

Q. Have you ever heard that Mr. Hastings caused such Enquiry to be made, during the Time of the Nabob's Residence at Chunar?

A. I believe he did not; but I don't know the Fact myself.

Q. What Information had you of that Fact, and what is your Ground or Proof?

A. I have heard Mr. Middleton mention it.

Q. Mention what?

A. Mention that Mr. Hastings had made Enquiries, but I did not know it myself.

Q. Of whom?

A. Of the Nabob, or Hyder Beg Cawn, respecting the Assistance the Begums were supposed to send to Cheit Sing.

Q. Of whom did Mr. Middleton say Mr. Hastings had made the Enquiries?

A. I do not recollect.

Q. You have said, that deliberate Murders were committed by Cheyt Sing; how do you know of those deliberate Murders being committed by Cheyt Sing?

A. I heard it from every Person that conversed upon the Subject. I never heard it doubted; I have read the Affidavits sworn to by One of the Chasseurs that escaped from the Massacre.

Q. Whether you are sure, and can undertake upon your Oath to say, that in those Affidavits you read, this Massacre was ever committed by Cheyt Sing, or his Orders?—that which you call a Massacre?

A. I never heard that Cheyt Sing did it with his own Hands; but I have always heard it mentioned that it was done by his positive Orders.

Q. Whether you recollect in any Affidavit, to have seen that deposed?

A. Yes, in Mr. Hastings's Narrative.

Q. Do you know any Thing of it yourself?

A. I could not possibly know any Thing of it myself, as I was in the Garrison of Chunar, and this Murder was committed at Lutteefpoor.

Q. Then, you recollect that in the Affidavit it was asserted to have been done by his Orders?

A. I do not recollect it.

Q. Then

Q. Then the only certain Ground of your Knowledge of any Thing upon the Subject, is taken from Mr. Hastings's Narrative?

A. From a Matter of Fact, spoken of as such in all Companies and by every Person that was there at the Time.

Q. Who sent the Shot you spoke of?

A. I do not recollect the Person that sent the Shot, but I think it was sent by the Person commanding at Bidgegur.

Q. Who was the Person Commanding at Bidgegur?

A. I think a Major Hook—I am not certain—I think it was.

Q. Whether you know that there was any Thing in Cheyt Sing's Treaty, or in any Orders or Instructions sent to him, which should prevent his having good Ammunition and good Stores of European fabric, or of any other?

A. I do not know of any Thing in his Treaty that should prevent him; but I think that the Magnitude of his Military Preparations, and the State of his Ammunition, was more than could be necessary for the Collection of his Revenues, or the Government of his Country.

Q. Who told you what was necessary for the Government of his Country, and the Collection of his Revenue?

A. I formed my Opinion, from his being a dependant Zemindar upon the Company.

The Managers for the Commons desired the Question might be read.

The same was accordingly read by the Clerk.

The Witness said,

A. Nobody told me.

Q. How do you know, are you acquainted, was you at that Period of Time acquainted, with the Nature, Extent, and Collection of the Rajah's Revenue, and what the Exigencies of his Government might require.

A. I know nothing of the Rajah's Revenue.

The Managers for the Commons desired the Question might be read.

The Question was accordingly read by the Clerk.

A. I do not know any Thing of his Revenue; I do not apprehend that the Exigencies of his Government could be such as to require so great a Preparation as I saw in his Zemindary.

Q. What Number of Troops did the Rajah keep up, to your Knowledge?

A. I did not know what Number of Troops he kept up, being only a few Months there before the Rebellion broke out.

Q. Do you know what Quantity of Stores were remitted to you?

A. I do not remember the Quantity.

Q. Was there more than One Box?

A. Only One Box, as far as I recollect.

Q. Do you know that there was more of the same Kind and Quality of Stores?

A. I do not know positively, but I believe there was a great deal.

Q. By what Information?

A. By the Information of the Officers who surveyed it.

Q. Have you the Survey?

A. No.

Q. Whether you know, whether there was any Thing in Cheyt Sing's Treaty, that should hinder him from providing for the Defence, as well as for the interior Government of his Country, and the Collection of his Revenue?

A. I never remember to have seen Cheyt Sing's Treaty.

Q. Then, how, as you are so well conversant with Mr. Hastings's Narrative and other Writings upon the Subject, came you to have made no Enquiry into the Matter upon which you give your Opinion?

A. What particular Matter?

Q. I mean the Number of Troops and Military Stores, and the Preparations which the Rajah ought to keep?

A. I have no official Information of any Thing of this Kind; it is from the general Opinion, and the Report of others.

Q. Whether you have not heard, and read in Mr. Hastings's Narrative, that the Rajah was called upon for a Body of Troops for the Company's Service?

A. I have heard it.

Q. Whether you have not heard, that Cantoo Baboo, the principal Dewan of Mr. Hastings, and an English Gentleman of the Name of Barnett, were actually in Custody of Cheit Sing?

A. I have heard it.

Q. Whether you do not know, that Cantoo Baboo and Mr. Barnett were released by Cheit Sing, and joined Mr. Hastings either at Benares or Chunar?

A. I saw Mr. Barnett after his Release, and believe he was released by Cheit Sing; I have also heard that Cantoo Baboo was released, but I did not see him myself.

Q. Whether Ramnagur was a Place always kept carefully from the View of the English?

A. Ramnagur was never kept from the View of the English, as far as I understood.

Q. Whether that was not the Fort that you say had Two Towers lately built to it?

A. I have already said so.

Q. Whether those Towers were not built before Mr. Hastings's Arrival there?

A. They were building in the Month of April. I saw them myself as I passed by Water.

Q. Was not Ramnagur a Place in the View of Benares, and continually in the Eye of the English Resident there?

A. It was to be seen from Benares, in going towards the River; but it was impossible to see it from the Resident's House.

Q. How far is it from Benares?

A. I am not quite certain, but I think a Mile and an Half or Two Miles, on the opposite Side of the River.

Q. Was it not the ordinary Residence of the Rajah?

A. I believe it was.

Q. Have you Reason to think that the Resident did not frequently go himself to Ramnagur, to see and converse with the Rajah?

A. I believe he did.

Q. Whether you yourself made, upon this Observation, or the Resident, to the best of your Information, any Remonstrance to Mr. Hastings at that Time, upon the menacing Appearance of those Towers?

A. I never did.

Q. Did you hear that the Resident ever did?

A. No.

Q. Did you ever request to see any of the Rajah's Forts?

A. I never did.

Q. Whether, or no, you did not take a Person called Nunkoo Sing, or had in your Hands a Person called Nunkoo Sing, who was charged with being a Person principally concerned in the Slaughter of Shewallah Ghaut?

A. I never had him in my Possession; but, upon hearing that he had entered the Zemindary, after the Expulsion of Cheit Sing, and not knowing that Government had given him Leave to return, I sent a Detachment from Chunar towards Mirzapoor, in order to apprehend him, but he retired and fled.

Q. Did you not actually inform the Resident of the Steps that you had taken to apprehend Nunkoo Sing?

A. I did.

Q. What Answer did you receive?

A. Mr. Markham replied to me, as far as I can recollect, that I ought not to have sent to apprehend Nunkoo Sing, without first acquainting him.

Q. How do you know that Nunkoo Sing had Mr. Hastings's Safe Conduct?

A. Mr. Markham acquainted me, that he had a Passport, either signed by him, or Mr. Hastings.

Q. What Reason have you to think, that Nunkoo Sing was flying when he was protected by Mr. Hastings's Passport?

A. I cannot pretend to say what Nunkoo Sing's Reasons were; I suppose he conceived his Person was not safe, when he heard of a Military Force coming that Way.

Q. Whether you would have respected Mr. Hastings's Passport?

A. Most undoubtedly I would.

Q. Whether

Q. Whether you have heard why Mr. Hastings gave Nunkoo Sing a Passport, charged as he was with being a principal Person in that Massacre?

A. I never did.

Q. Whether you are not of Opinion, that the taking up Nunkoo Sing, and examining him, might give much Light to the Whole of the Transaction?

A. I cannot tell; I believe Nunkoo Sing afterwards came into the Zemindary; but I am not certain.

Q. Did you hear that any farther Enquiry was made after him, to bring him to Punishment, or to make further Discoveries?

A. I never heard any Thing more respecting him.

Q. You say, that Cheit Sing made Attempts to bribe the Sepoys, who were clamorous for Pay, in your Garrison—How do you know it?

A. I did not say so; I said, that Cheit Sing endeavoured to bribe the Sepoys; I only said it was apprehended that he had taken such Steps.

Q. Whether the scrawling upon the Walls might not have been done by the Sepoys themselves, as a Menace to the British Government?

A. I do not know the Motives; I do not know who wrote them.

Q. Did not they purport to be written by the Sepoys themselves?

A. I did not say so; I said, that certain Expressions were written upon the Walls of my Garrison, which I mentioned.

Q. Upon what Part of the Walls of your Garrison?

A. I do not particularly recollect what Part it was.

Q. As near as you can recollect, what Part of the Walls?

A. As high as a Person could reach.

Q. Within or without the Walls?

A. Without the Walls.

Q. Were none wrote within?

A. I did not look.

Q. Did you look on the Outside?

A. I could not have seen it if I had not looked.

Q. Do you know yourself, that any of the Sepoys actually did desert to Cheit Sing?

A. I do not recollect they did.

Q. What Time was it, whether before or after the Revolt and Disturbances, that those Things were written upon the Walls?

A. After the Revolt of Cheit Sing, and the Arrival of Mr. Hastings at Chunargur.

Q. Whether you have not known of several Complaints made to the Resident, concerning the Misbehaviour of the Soldiers in your Garrison?

A. I do not remember any particular Complaints; but I make no Doubt but there may have been many.

Q. Do you not actually know, that a Complaint was made to you of the Misconduct of your Soldiers, by Mr. Fowke?

A. I do not recollect that any Complaints were made by Mr. Fowke; but I think some were made by Mr. Markham.

Q. Was it not the Substance of One of his Complaints, that the great Merchants of Mirzapore have shut up their Grain Houses, in consequence of the Proceedings of your Soldiers?

A. I do not recollect; but it might be so.

Q. Whether, on the 6th of November 1783, a Complaint was not made by Mr. Fowke, of other Disorders?

A. Mr. Fowke was not there in the Year 1783.

Q. Was no Complaint made to you in 1783, by the Resident?

A. I have already said that several Complaints might have been made.

Q. Whether you did not admit the Justice of the Complaint, and in return to the Resident, complain that you were in Want of Money?

A. I do not recollect all my Correspondence with the Resident, at this Distance of Time.

Q. Do you recollect any Example made of any of those Soldiers, to deter them from committing other Disorders and Excesses in the Zemindary?

A. If there were any well-grounded Complaints against any of the Soldiers under my Command, I believe they must have been punished, if convicted.

Q. Whether

Q. Whether any of them were in Fact punished for such Disorders, whether true or false, upon any Charge of Disorders?

A. Many Soldiers were punished for Disorders under my Command; but I do not recollect for what particular Crimes.

Q. You do not recollect, whether any were particularly punished upon Complaints made by the Residents, Fowke and Markham?

A. I do not recollect any particular Complaint made by them, though there might have been.

Q. Whether you had not a Complaint from the Resident, of Depredations committed in the Purgunnah of Bidjeygur by Ider Sing and Deo Sing?

A. I cannot charge my Memory with any such Thing; it might perhaps have been so.

Q. Whether you recollect, in Answer to this Complaint, your saying, that these Men were supported by a considerable armed Force?

A. I do not recollect the Circumstance.

Q. Do you recollect ever sending Mr. Meredith, who commanded your Detachment, to treat with the Rajah for giving up the Plunder or Plunderers, Ider Sing or Deo Sing?

A. I recollect, now the Name is mentioned, sending Captain Meredith upon some such Business.—I do recollect sending Captain Meredith upon some such Business, now that I am put in mind of the Name.

Q. Do you think that these Hill Rajahs, making Incursions into the plain Country of Ghauze-poor, could be suppressed without a regular Force?

A. I do not know.

Q. You spoke of a Design of Cheit Sing to set up for Independence, whether you have ever seen any Letters or Papers, or other Documents, upon which you could ground that Opinion?

A. I have seen no Documents or Papers to ground such an Opinion upon.

Q. Whether you have not said, that he had foreign Correspondence for that Purpose; and if so, what you know of these foreign Correspondences?

A. I have not said that he had foreign Correspondence, though I have generally heard that he had.

Q. Then you know nothing of the Subject but by that Hearsay?

A. No.

Q. (*by Counsel.*) Whether you had a sufficient Knowledge of the Country of Benares, to enable you to form a Judgment of the Force necessary for the Collection of the Revenue?

A. I had not a sufficient Knowledge to know the Force that was necessary.

Q. But to form a general Judgment of it?

A. I heard, and believe, that a very small Force was requisite.

Q. Do you know what Force was employed for that Purpose, under the new Government, after Mehinnarrain was appointed.

A. I do not know positively, I have heard —

Q. You was asked upon the Subject of the Passport granted to Nuncoo Sing, whether that was subsequent to the general Amnesty under the Proclamation?

A. It was after the Proclamation.

Then, the printed Minutes were shewn to the Witness, and the following Question was put to him;

Q. Look at the List of the Persons by whom those Affidavits were made, and inform the House, if you know any of the Persons, and point them out.

A. I do not know any of them.

Q. You said, you was not acquainted with the Extent of Cheit Sing's Preparations, prior to the Rebellion—Did you see his Preparations; and could you form any Judgment from seeing them afterwards?

A. I think his Preparations were more than could possibly be wanted for the Collection of his Revenues, or for any other Purposes of his Government.

Q. What Preparations do you attribute that to—to his Military Establishment?

A. His Military Establishment—the State of his Military Stores and Artillery.

Q. And the State of his Forts?

A. Yes; the compleat Repair that they all seemed to be in.

Q. You was asked respecting the Report that you spoke of, of the Assistance given by the Begums to Cheit Sing—whether that was a current Report and Belief of the whole Camp; not of an Individual, but of all the Officers at Chunar at that Time?

A. I never heard it doubted by a single Individual at Chunar, either Civil or Military.

Q. (*by*

Q. (*By Managers.*) Whether you know the Date of the Passport?

A. I never saw the Passport?

Q. Do you know what the Rajah's Preparations, which you last spoke of, were, of your own Knowledge, previous to the Time of Shewallah Ghaut? The Question does not mean concerning the Time of War.

A. I know of no Preparations previous to the Massacre at Shewallah Ghaut.

Q. Have you seen the Forts yourself, so as to know what Degree of Completeness and Repair they were in?

A. I saw them all, and I think they were in complete Repair.

Q. When did you see them?

A. Almost immediately after they were captured.

Q. What Reason have you to think, that keeping Forts in Repair is a Proof of a premeditated Sign of Rebellion?

A. It is not a Proof, but a Presumption.

Q. Whether you do not know, that the Rajah Cheit Sing was a Frontier Zemindar, and if it is not expected of such Zemindars as have Forts, that they should keep them in a defensible Condition?

A. He was a Frontier Zemindar; but I do not know that it was allowed by our Government that he should keep his Forts in a defensible Situation.

Q. Did you ever know it to be prohibited?

A. Not till after the Rebellion.

Q. Whether you informed Mr. Hastings, from your previous Observation of the Condition of those Forts, that you presumed an Intention to rebel?

A. I never knew any Thing of the Condition of his Forts, previous to the Rebellion.

Q. (*by a Lord.*) You mentioned Two Towers that were building at the Fort of Ramnagur, whether these Forts could be of any Use to Cheit Sing for the Purpose of collecting his Revenue?

A. I believe of none.

Q. (*by Managers.*) Whether it was not the Custom for the great Men in that Country to live in their Forts, and keep their Women in them?

A. I believe it is customary.

Q. Whether Ramnagur made any Defence, and what?

A. I believe it was deserted by the Rajah's People upon hearing that he fled.

Q. (*by a Lord.*) You have said, that Cheit Sing relied upon foreign Assistance, do you mean upon the Assistance of the Begums only, or upon any other foreign Assistance, and what?

A. I understood that he had written Letters to the Mahrattas to call on them for their Assistance; I believe to Scindia.

Q. (*by Managers.*) Can you recollect from whom you heard it?

A. I do not recollect any Individual; it was the general Conversation at Chunar when I was there.

The Witness was directed to withdraw.

Then the Counsel for the Defendant desired Mr. Græme might be called in.

CHARLES GRÆME Esquire, was accordingly called in, and being sworn, was examined, as follows:

Q. Whether you was not in 1781, Collector of that Part of Bahar, which is called Circar Sarum?

A. I was.

Q. Was Hussy pore, Part of that District?

A. It was. The Engagements for the Revenue of Hussy pore were taken separate from those of Circar Sarum.

Q. Was it Part of your Collectorship?

A. It was.

Q. Had that Country been infested by a Person of the Name of Futtylaw, a rebellious Rajah, in the Beginning of the Year 1781?

A. It had.

Q. Do you know at what Time in that Year Futtysaw was driven out of Hussy-pore, and where, when driven out, he took Refuge?

A. He was driven out of Hussy-pore in the Month of February 1781, and I have reason to believe that he fled into the District of Cheyt Sing, and that he remained there until his Return into Hussy-pore, in the Month of August 1781, in the same Year.

Q. Had you Reason to know, by any Communications made to you by Captain Maxwell, the Officer commanding in that District, that Futtysaw had, prior to the Time of Cheyt Sing's actual Rebellion, kept up a Correspondence with some of the Rajahs of Hussy-pore, injurious to the Interest of the India Company in that Quarter?

A. It was stated to me in a Letter.

The Evidence was objected to.

Q. Whether those Communications there represented, were made to you by Captain Maxwell?

A. They were.

Then, the printed Minutes, Page 219, were shewn to the Witnesses, and he was desired to look at a Letter, signed Robert Maxwell, dated Burragong, the 17th August 1781.—Also, a Letter, signed Charles Græme, dated Chuprah, the 19th August 1781; and he was asked,

Q. Did you accompany the Communication, contained in the Letter of the 17th August, with the Letter which precedes it in the same Page, from yourself to Mr. Hastings?

A. I certainly did.

Q. Did you then believe, and do you now believe, that the Matter of such Communication, made by Captain Maxwell to you, and by you made to Mr. Hastings, was true?

A. I certainly did believe it to be true, and do now believe it to be true; and I have further Reason for believing it so, because I had received the Orders of the Governor to endeavour to apprehend Futtysaw; and I therefore thought it my Duty to discover the Places of his Retreat, and by whom he was supported. The Information I received in consequence of those Enquiries corresponded with that which Captain Maxwell gave me.

Q. Whether that Letter of yours, dated the 19th August 1781, inclosing another from Captain Maxwell, bearing Date the 17th of the same Month, was not written before you knew of the Fact of Cheyt Sing's Rebellion?

A. It was. I did not hear of the Rebellion in Cheyt Sing's Country, until the 21st of the Month; and my Letter is dated on the 19th.

Q. At what Time did Futtysaw make a hostile Irruption into the Country of Hussy-poor, in that Year?

A. He made Two in that Year.

Q. At what Periods?

A. One in the Month of February.

Q. When was the Second?

A. And the Second in the Month of August—upon the March of a Battalion that had been stationed there for the Protection of the District.

Then, the printed Evidence was shewn to the Witnesses, and he was asked,

Q. Whether you did not communicate by Letter, dated 4th September 1781, in Page 207 of the printed Minutes, the Fact of that Irruption.

A. Yes. I did.

Q. Did you, at the Time of writing this Letter of the 4th of September 1781, which mentions that a Zemindar of the District, named Durjoo Sing, had received Letters under Cheyt Sing's own Hand, and having the Seal of his Government affixed to them, desiring Durjoo Sing to kill every European and Sepoy he could, and to join him with all his People.—Did you believe, that such Letter had been received by Durjoo Sing from Cheyt Sing, as you represented in that Letter?

A. I certainly did.

Q. Did you see the Letter referred to in that Letter of yours of the 4th September 1781, purporting to be under the Hand and Seal of Cheyt Sing?

A. I saw both the Letters so written, though one of them only is referred to in my Letter of the 4th September 1781. The Letter alluded to was delivered by Durjoo Sing into the Hands of the Amil of Gawzipore, Govind Ram, by whom it was sent to me.

Q. Are the Letters, inserted in Page 253, of the printed Minutes, the Letters you then actually saw?

A. The Letters were written in the Hindoo Language, which I do not read; but these Translations correspond with the Reading of those Letters to me.

Q. How

Q. How long was you in the Country of India altogether, at that Time, and how long after the Rebellion at Benares ?

A. Altogether, I was in India Sixteen Years, and continued there until the Month of December 1785, Four Years after the Rebellion.

Q. That was some Time after the Termination of Mr. Hastings's Government ; after he quitted India.

A. It certainly was.

Q. In what Estimation did Mr. Hastings stand with the Native Inhabitants of India, as well before that Event of the Rebellion at Benares, as after, and up to the Time of your Departure for England ?

A. No Man could stand higher in their Opinion than he did, and in the Opinion of every one with whom I have had an Opportunity of conversing, and of knowing their Sentiments respecting him ; his Regulations, as far as I knew of them, tended to promote the Happiness of the People ; and I think he was eminently distinguished for his Humanity and Benevolence.

Cross examined.

Q. Have you the Letter to which you allude, written in the Hindoo Language, under the Seal of Cheit Sing, as described by you ?

A. I have not.

Q. Do you know who made the Translations ?

A. I do not know who made the Translations, which are in the printed Correspondence.

Q. You have not the Original, and do not know who made the Translations ?

A. No.

Q. Whether you wrote to Cheit Sing, in consequence of the Complaints of Futtysaw's taking Refuge in his Dominions ?

A. I never had any Correspondence with Cheit Sing.

Q. Did you write to the British Resident upon the Subject ?

A. I think I did make Representations to the Resident upon the Subject more than once.

Q. What Answer did you receive from the Resident ?

A. I really have it not in my Power to state what particular Answer I received.

Q. Did you never hear that Irruptions, by Patna Zemindars, were made into Belliar, and the Consequences that arose from them ?

A. I never did.

Q. Did you never hear that Cheit Sing made Remonstrances in consequence of it ?

A. Having never heard of such Irruptions, I consequently could never have heard that Cheyt Sing made any Representation upon the Subject.

Q. Do you know, whether any Letter was written by the Resident on that Subject to you ?

A. I recollect a Quarrel arising between some Zemindars of the District of Sircar Sarum and some belonging to the District of Rajah Cheyt Sing, in which I think several Persons were hurt, if not killed.—The Dispute I believe was about a Boundary.

Q. What Enquiry was made into it, upon the Rajah's complaining ?

A. I do not recollect the Result of the Enquiry.

Q. Whether any Justice was done upon any of the Parties ?

A. I rather think the Matter was made up, and that no particular Punishment was inflicted upon either Side.

Q. Whether there is any Record of the Proceedings of that Agreement or Compromise ?

A. I do not know indeed.

Q. What do you know about Futtysaw at all—who Futtysaw was ?

A. Futtysaw had originally, I believe, possessed some Land in the District of Hussy-poor, but previous to my going into that District he was in a State of Exile.

Q. Whether, when you say he was a Rebel, do you know whom he was a Rebel to,—whether he was a Rebel to the Company ?

A. He was considered as a Rebel to the Company.

Q. To the Company ?

A. Certainly.

Q. Whether you know of any Proceeding against him in Hussy-poor, or any other Part of the Company's Dominions, by which he was ascertained to be guilty of the Crime of Rebellion ?

A. It never was a Part of my Duty to investigate whether the Appellation of Rebel was a proper one or not, because the Circumstance of his quitting that District happened many Years before I even was in India.

Q. Then you do not know whether he was a Rebel or no?

A. I have already said, I do not know whether the Term was properly applied to him or not.

Q. Whether you have not heard he was one of the Men of the greatest Rank and Quality in that Country, and so generally esteemed?

A. He was a Man of very high Cast.

Q. Whether the common People of that Country had not a great Attachment to him, and a great Veneration for him?

A. I believe a great many of them had.

Q. Whether you have not heard, this very Futtysaw took Refuge in the very same Country of Benares, after it had come under the Dominion of the English in the Year 1783?

A. I do not recollect any particular Information which stated him to have been there after the Affair of Benares, but I do not think it at all improbable, as there are very large Forests in Cheit Sing's Country, where he might have concealed himself; but I certainly never received any Information of his having been protected there.

Q. What Information have you received of his Protection there under Cheit Sing, and what it is?

A. I have already stated, that I considered it my Duty to enquire respecting the Places of his Retreat, and that the Result of those Enquiries led me to believe he was protected there.

Q. Where are those Informations?

A. Informations of the Kind I allude to were generally verbal, communicated by Hircarras employed for the Purpose of gaining Information.

Q. How came you not to make a Remonstrance to the Resident upon that Subject?

A. I believe I have already said, that I think I frequently did.

Q. Did you particularize to the Resident those Places in which you was informed Futtysaw was protected?

A. I dare say I did.

Q. Are you pretty sure you did?

A. I think it most probable I must have stated the different Places.

Q. (*by Counsel.*) Those Letters in the printed Papers appear to have been translated by a Person called Gomanny Loll, a Hindoo Translator?

A. Yes.

Q. That was not the Person employed by you?

A. No.

Q. Whether Futtysaw had been expelled in the Month of February 1781, by the British Arms under Lieutenant Hutchinson; and whether he had not, in August of the same Year, returned in Arms, and was again driven out by the British Force under Major Lucas?

A. He certainly was.

Q. (*by a Lord.*) Tell the Court again, in what Manner those Letters were translated to you;—you stated you did not understand Hindoo?

A. I said I could not read Hindoo, but understood it when read.

Q. Then, when it was so read, did the Contents of that Letter so read to you correspond with that Letter you have now read?

A. That is what I said.

Q. (*by Managers.*) Who read it to you?

No Answer.

Q. (*by Managers.*) Who was the Translator?

A. They were sent to Mr. Hastings at Benares, and, I believe, there translated.

Q. Do you mean the original Letters were sent to Mr. Hastings?

A. Yes.

Q. And there translated?

No Answer.

Q. Then, with respect to this Futtysaw, how do you know that he was in this Manner driven out by British Forces from the Country, and by whose Orders?

A. I know it from a constant Correspondence (the Second Time I speak of now particularly) with the Officer who commanded the Troops, and who attacked him when he was strongly entrenched in Hussypore. I saw a Number of the wounded Men after the Engagement.

Q. At

Q. At that Period of Time, from what Quarter did he come into the Country of Huzzypore?

A. I cannot exactly state what particular Part of the District he first entered. I have already said, my Information led me to believe he came in the Month of August immediately from Cheyt Sing's District.

Q. In what Year?

A. In the Year 1781.

Q. That was subsequent to the Troubles?

A. During the Troubles.

Q. With respect to Futtysaw, whether you do not know he was obliged to quit the Vizier's Dominions upon Grievances he suffered in that Country?

A. No, I do not.

The Witness was directed to withdraw.

Then the Counsel for the Defendant desired Joseph Wade Esquire might be called in.

JOSEPH WADE Esquire was accordingly called in, and being sworn, was examined as follows:

Q. Was you in India, and in what Corps was you serving, in the Year 1781?

A. In the Corps of Rangers.

Q. In what Place?

A. In Guallior, and in the Zemindary of Benares, under Major Popham.

Q. Did that Corps compose Sir Eyre Coote's Body Guard in the Year 1779?

A. It did.

Q. Did you then accompany Sir Eyre Coote with it to Benares, from Lucknow?

A. I did.

Q. Was you present at the Meeting which then took place between Sir Eyre Coote and Cheyt Sing?

A. I was.

Q. Did Cheyt Sing come attended with a numerous armed Force, or only with a numerous Suite or Swarry?

A. He came with a common Swarry.

Q. If he had had any armed Force must you have seen it?

A. If he had had any immediately in Attendance, I must have seen them.

Q. Was you afterwards, with the Corps you belonged to, stationed with Major Popham's Detachment in the Province of Benares, on the breaking out of the Rebellion?

A. I was stationed at Mirzapore with Major Popham's Detachment.

Q. How long had you been stationed there, previous to the Rebellion of Benares?

A. I think about Two Months.

Q. Describe what that Position was?

A. The Camp extended along the Banks of the Ganges, between that River and the high Road leading from the Decan, the Country of the Mahrattas and other independant States South West of Cheyt Sing's Zemindary.

Q. Did that Situation afford you any particular Opportunity of forming an Opinion, that Cheyt Sing was disaffected to the British Government; and if so, on what Facts was that Opinion founded?

A. I had heard long before of Cheyt Sing's Disaffection to the British Government.—That Position did afford me some Opportunities of observing what, at that Time, forcibly struck me as Marks of Disaffection.

Q. Did you see armed Men occasionally coming into the Country?

A. I did.

Q. From the Mahratta Country?

A. I did see them come along the Road, in the Front of our Encampment almost daily in small Parties, during the Whole of the Period we were encamped in that Position.

Q. In what Months did you observe those Facts?

A. In the Months of June and July 1781.

Q. Was this the most critical Period of the War, in which we were then engaged?

A. I did then consider it such.

The Question was objected to.

Q. Was it, or was it not?

A. I did consider it such.

Q. Had, or had not, the armed Men, whom you saw coming into the Zemindary, the Appearance of Troops enlisted for Cheit Sing, or otherwise?

A. They were completely armed in the Hindostan Manner.

Q. How long, previous to the Insurrection of Benares, did you remain in the above Position?

A. About Two Months.

Q. Was you at Benares on the 16th of August 1781?

A. I was.

Q. Was you with Colonel Popham, when he marched to the Support of Lieutenant Birrel's Party at Shewallah Ghaut?

A. I was.

Q. What did you perceive on entering the Place?

A. That a dreadful Carnage had recently taken place; the Bodies of three European Officers lying dead, Two of them dreadfully mangled, and several Sepoys killed and wounded.

Q. Was you detached by Colonel Popham, on the Day of the First Action at Patteeta, to support Captain Blair?

A. I was.

Q. Did you arrive before or after the Engagement was at an End?

A. I did not arrive before Captain Blair had taken Cheit Sing's Guns.

Q. Did you afterwards see the Ordnance and Ammunition that were then taken from the Enemy?

A. I saw some of it; I saw the Guns and some of the Shot, in the Field of Battle.

Q. Describe the general Quality?

A. I do not immediately now recollect any to have struck me forcibly, but the Grape Shot.

Q. Was you afterwards with Colonel Popham's Detachment, at the Attack of the Town or Fort of Patteeta, upon the 20th September 1781?

A. I was.

Q. How long was you there before that Attack?

A. Where?

Q. At Patteeta?

A. We attacked it immediately upon our Arrival opposite the Town.

Q. What was your Situation during that Attack?

A. I commanded a Corps of Independent Rangers at the Battering Guard.

Q. Was the Battery you are speaking of cannonaded by the Enemy?

A. It was attacked from a Hill upon our left Flank.

Q. Was the Party visible that attacked it?

A. The Party was not visible—the Hill and Country immediately about it was thickly covered with Wood.

Q. Was any Force sent to dislodge the Enemy from their then Possession?

A. A Native Sepoy Officer, with a Party of Sepoys, were sent to repel the Party who had attacked our Battery.

Q. Did they bring in any Prisoners?

A. They did.

Q. Were there among the Number, any Persons appearing to be Nudjeebs?

A. There was One among them a Nudjeeb.

Q. What Account did this Man give of himself?

A. That he had been sent from Fyzabad by the Begums, with a Body of 600 Nudjeebs, to which he belonged; that previous to their Departure from Fyzabad, they had received Two Rupees in Advance, from the Begums; that that Afternoon, he the Prisoner, had been detached to make the Attack which took Place on our Battery. I knew the Man to be a Nudjeeb—the Uniform of that Corps was known to me—I have seen several of them in the Nabob of Oude's Dominions.

Dominions. The Man was wounded, and from the Battery was sent up to Colonel Popham, Major Popham then, who commanded the Camp.

Q. After the taking of Pateeta, did you go to Lutteespore?

A. I did.

Q. Was you acquainted with a Person of the Name of Mordelait?

A. I knew him very well; he was a Corporal in the Corps of Rangers.

Q. Did you find him at Lutteespore, on your Arrival there; and if so, in what State?

A. The Morning we entered Lutteespore, from which Place Cheit Sing had fled, after the Transaction of Shywallah Ghaut, I met Jean Mordelait in a very thin State; he shewed me the Mark of a Bayonet that had been run through his Body: He told me, that he and 13 more of his Companions had been taken, by Cheit Sing, from the Hospital at Mirzapore, and they were carried to Cheit Sing's Prisons at Lutteespore; that they had been sent from thence to a Post, in the Woods, near Lutteespore; that there they were ordered into the Woods, and that they were massacred, all his Companions were massacred in cold Blood, after having received several of the grossest Indignities that could be offered; that he himself lay as if dead: Some had been cut down with Sabres, others bayoneted, and that he was left for dead, on the Spot; that after the People went away, who had committed this horrid Massacre, he made the best of his Way to a neighbouring Village; that the People carried him back to the Post where he had been formerly confined, and they told him, as it was his Fate to live, that he might live.

Q. Was this the Account which Mordelait gave of himself, and of the Treatment of his Companions, immediately upon your entering Lutteespore?

A. It was immediately upon my entering Lutteespore. I believe a Quarter of an Hour or Ten Minutes had elapsed.

Q. Was you afterwards at the Capture of Bidjegur?

A. I was.

Q. After that was at an End, had you any Opportunity of observing the different Forts of Cheit Sing, so as to be able to state in what Condition they were?

A. The Forts that I saw, after Cheit Sing was driven out of the Country, are all situated on the Hills and Woods, and appeared to have been kept in excellent Repair. Some of them had a great deal of new Work upon them; but not so recent but what it must have been performed before his Rebellion.

Q. How long did you remain in the Zemindary of Benares, after the Rebellion was quelled?

A. Near Three Years.

Q. Did you, during that Period, traverse it frequently in different Directions?

A. I did.

Q. Did it appear to have suffered from the Changes made in the Administration of it?

A. Not in the least, some Parts of it were even improved.

Q. Were the Natives in general satisfied with the Government as established subsequent to the Expulsion of Cheit Sing?

A. They certainly were very much so, excepting in the Parts that had suffered under Durbid-jei Sing.

Q. What was the State of the Police before the Insurrection at Benares?

A. The State of the Police before the Insurrection at Benares, I can only speak to from Hearsay, —extremely bad.

Q. From Knowledge can you state what was the Condition of the Police after the Expulsion of Cheit Sing?

A. A much better regulated Police, at least in its Effects, than that of London.

Q. When did you quit India?

A. I left Bengal in the Month of January 1787.

Q. During all the Time you resided there, in what Estimation was the Character of Mr. Hastings held both by Natives and Europeans in every Part of India where you had an Opportunity of becoming acquainted with it?

A. Mr. Hastings bore the highest publick and private Character amongst the Natives and Europeans. They always spoke in high Terms of his Disinterestedness, Humanity, and Attention to their Laws and Customs, Civil and Religious.

Cross-examined.

Q. You have said, that in the Year 1781, when you was at Mirzapore, it was a very critical Situation of the War for the Company; what was your Age at that Time, in the Year 1781?

A. I believe Twenty-four, I am now Thirty-five.

Q. How

Q. How long was you in the Company's Service ?
A. Eleven Years.

Q. What Rank had you in the Service of the Company at that Period of Time ?
A. At that Time I was a Lieutenant.

Q. Having been at Mirzapore, and having heard of Cheit Sing's Disaffection there, from whom did you hear it ?

A. I heard it before I left Calcutta to go up the Country with Sir Eyre Coote constantly mentioned at Head Quarters. I heard it mentioned in the Mahratta Country, where I was previous to the breaking out of the Rebellion.—I heard it frequently mentioned while we were encamped at Mirzapore.

The Managers for the Commons desired the Question might read.

The same was accordingly read by the Clerk.

Q. (*by a Lord*). Do you remember any Person in particular from whom you heard it ?

A. I heard it from various Natives ; it was a common Topick with the European Gentlemen at that Time in Camp.

Q. (*by Managers*). From whom did you hear it ? Do you, or not, remember from any Person in particular ?

A. I do particularly remember a Moonshy in my own Service, a Master of the Persian Language.

Q. Did he give you any Reasons or Particulars that might induce you to believe it ?

A. Those People coming daily in small Bodies, compleatly armed, into the Country at a Period which I considered to be a very critical one to our Affairs in India, did particularly give rise to my Suspicions on the Occasion with respect to Cheit Sing having been well founded.

Q. What Reasons did the Moonshy, upon whose Authority you go, furnish you with, to induce you to believe there was any Truth in the Report ?

A. It is customary for the confidential Servants of European Gentlemen, in the interior Parts of the Country, to go every Afternoon to the Buzars, and other publick Rendezvous, to hear the News, which they, in the Afternoon, generally bring as the current Reports of the Day.

Q. Did he furnish you no other or better Argument to support the Information he gave you ? Is that all ?

A. It was publickly talked of in the Country.

Q. Who was it at Calcutta that told you, and when was it that you was told at Calcutta of Cheit Sing's Disaffection and Disposition to shake off the British Government ?

A. I have heard Sir Eyre Coote mention Cheit Sing's Disobedience ; I have also heard him mention the Substance of Mr. Graham's Communications on that Subject.

Q. Did Sir Eyre Coote speak any Thing from his own Knowledge and Observation of Cheit Sing's Country and Conduct, that induced him to think so ?

A. What I heard Sir Eyre Coote mention upon the Occasion, I apprehend to have been founded on Mr. Graham's Communications, and what other Reasons he had for ordering Captain Crabb's and M^rPherson's Battalions from Dinagapore into the Zemindary of Benares.

Q. Did Sir Eyre Coote mention any Thing to you, that does not appear upon the Correspondence ?

A. Sir Eyre Coote did not mention to me any Circumstance respecting Cheit Sing's Disaffection, but talked of it publickly at Head Quarters.

Q. At what Time ?

A. In the latter End of the Summer of the Year 1779.

Q. What Number of armed Men did you see coming from the Mahratta Country by Mirzapore, as near as you recollect ?

A. During the Period of our being encamped at Mirzapoor, they were constantly coming into the Country in small Parties ; I do not immediately recollect how many Men ; there might be Four, Five, Six, Ten at a Time ; but all small Parties, sufficiently so, to excite Suspicion.

Q. Did they excite Suspicion ?

A. They most undoubtedly did.

Q. Were any Measures taken to ascertain whether they were Recruits for Cheit Sing ?

A. They never struck me as Recruits ; they had the Appearance of formed Soldiers, armed in the Hindostan Manner.

Q. Did you take any Measures, or do you know if any Measures were taken to ascertain that they were going at all into the Service of Cheit Sing ?

A. I do not.

Q. Whether

Q. Whether, considering them as dangerous, any Measures were taken to prevent their entering into the Service of Cheit Sing, or into the Country in that armed Manner?

A. I do not know that there were.—There was a Resident, and a commanding Officer of the Forces, whose more immediate Office it was to inspect Cheit Sing's political Conduct.

Q. Whether you informed your Commander in Chief of these Appearances, and the Apprehensions you grounded upon them?

A. I did not, it was notorious; the Commanding Officer must have been as well acquainted as I was, with the Reports prevailing with respect to Cheit Sing.

Q. Was it of your own Observation, or by Report, that you speak of those Bodies of armed Men?

A. I saw them. The Road was not above Twenty Yards from the Front of my Tent.

Q. Did you never ask any Questions about them?

A. I did very frequently.

Q. What Answer did they make?

A. That they were coming to Cheyt Sing for Service.

Q. Who was present at that Enquiry?

A. Sometimes the Moonshy, sometimes nobody.

Q. Is it not common for Adventurers, from every Part of India, to go into the Territories of the Princes there, and to offer them their Services?

A. I believe it is where their Services are required.

Q. Are not Sepoys often recruited from many Parts of India?

A. I cannot speak to my own immediate Knowledge of that.

Q. Do they not come and offer, and have you not heard, that Adventurers from various Parts of India come to offer, to serve in the Company's Sepoys?

A. I never heard that the Company's Sepoys in general were recruited but from their own Provinces, and the Nabob of Oude's Dominions.

Q. Whether you know a Nudjeeb when you see him?

A. Exactly well.

Q. Whether the Nabob of Oude had not many Nudjeebs in his Service?

A. Sujah Dowlah had a Corps of 4,000 Men, as I have heard, of that Description; they wore a blue uniform Coat in the Persian Manner, and lined with yellow. On the Disturbances which took place in Oude on the Death of Sujah Dowlah, I was told that his Son disbanded this Corps, and that they were employed, many of them, among the Jaghiredars and Aumills depending upon the Government of Oude.

Q. Whether, or no, you know, or are sure, that the Nabob of Oude retained no Nudjeebs in his Service at the Time you speak of?

A. I am not.

Q. Whether you have any Reason to know, and can positively say, that the Begums entertained any Body of Nudjeebs at all in their Service?

A. I supposed, from what the Nudjeeb said in my Hearing, who had been brought in a Prisoner to the Battery at Patteeta, that they must have had in their Service that Body of 600 Men to which he belonged.

Q. Have you any other Reason to believe that the Begums had a Body of 600 Nudjeebs in their Service?

A. I have heard that the Begums did entertain Bodies of Men.

Q. The Question is, as to Nudjeebs?

A. With Respect to the Nudjeebs, I only know it from this Man's Deposition, and from English Officers who served in Oude.

Q. Whether you do not know, that the Nudjeebs are a Species of Soldiers of a higher Order, more esteemed, and better paid in general, than the Sebundy and other ordinary Troops in that Country?

A. The Nudjeebs were always mentioned as a select Body of Troops.

Q. In what Language did this Man tell you, that he was employed by the Begums to serve Cheit Sing?

A. He mentioned it in the common Language of that Country, the Moorish Language.

Q. When he mentioned that, in the common Language of the Country, what was the Conversation that led to it;—and did you ask him, or did he voluntarily tell you?

A. Upon this Man's being brought into the Battery, the People in the Battery collected about him, to hear what he had to say. I at the Time had a Groom in my Service, who had been a Nudjeeb,

Nudjeeb, and who always insisted upon wearing the Uniform of it. This Man's Uniform, who was brought into the Battery Prisoner, was one of the Circumstances that first induced me to go up to hear what he had to say. Who first asked him the Questions, I do not recollect; it was not me.

Q. Did he tell, on saying he was employed by the Begums, who employed him?

A. He said he was sent by the Begums, with a Body of 600 Nudjeebs, to which he belonged, from Fyzabad, and that they received Two Rupees before they set off to Cheyt Sing's Assistance.

Q. From whom did they receive the Two Rupees?

A. His Expression in the Moorish Language was, from the Begums.

Q. Did he mean from their own Hands?

A. I don't suppose the Man could possibly mean, that he positively received the Money from the Begum's own Hand.

Q. Who did he say he received it from, and who gave him Authority to serve Cheyt Sing?

A. The Man's Expression in the Moors was, 'I got Two Rupees from the Begum.'

Q. When you examined him so much, why did not you ask him from whose Hands he got it, as he could not possibly receive it from the Hand of the Begum?

A. I never once thought such a Question necessary, nor did I go to hear any Thing the Man had to say with respect to the Begums. As a Proof of the Assistance Cheyt Sing had received from them, I was, from the previous Notoriety of the Fact, sufficiently convinced of it.

Q. What previous Notoriety of the Fact?

A. Whenever the Extent of Cheyt Sing's Measures were mentioned, they scarce were ever mentioned by any Body, without the Begum's being a Party in them.

Q. Whether any other Nudjeeb of this Corps of 600, happened to be taken, or was enquired about?

A. I do not understand the Question.

Q. (*by a Lord*) Whether any other Nudjeeb was taken, except this Man with whom you conversed?

A. The Morning the Town was stormed, the Conversation of the Camp ran on the Pleasantry of another Nudjeeb, who had received Two Wounds, and remarked shortly after he received them, that he had only received Two Rupees from the Begum, for them.

Q. What became of those Two Men?

A. The last I did not see, the other was sent up to Camp.

Q. Do you know what became of him, or whether any Enquiry whatsoever was made after him?

A. After he had given the Account of himself, which I have been delivering, he was sent up to the Camp to Major Popham.

Q. Do you know what became of him?

A. He was sent from the Battery up to Camp.

Q. Do you recollect the Date of this Conversation?

A. It was the Evening after we opened our Attack upon the Town of Patteeta; I believe it was the 18th September, I am not positive.

Q. Whether, or no, you did not hear that Sir Elijah Impey was taking Evidence and Affidavits upon all those Subjects, in Benares and Oude?

A. I did.

Q. Whether you heard how it came to pass, that neither this Nudjeeb, or any other was produced at either of those Places?

A. If any Body had then asked me for such Depositions, as a necessary Evidence of the Assistance Cheyt Sing had received from the Begums, I should have thought that they were joking.

The Managers for the Commons desired the Question might be read; the Question was accordingly read by the Clerk:

A. I know nothing at all about them.

Q. Did you not hear, that one Mordelait made an Affidavit?

A. I did.

Q. Whether you have not read this Mordelait's Affidavit?

A. It was given to me the other Day by one of Mr. Hastings's Counsel, who desired I would recollect, if that was the Substance of what Mordelait told me at Lutteespoor.

Q. Whether, or no, from your Knowledge of the Nature of a Nudjeeb Battalion, they would be likely to go, for Two Rupees a Man, to serve in a remote Country, far from their usual Place of Quarters?—Whether you think Two Rupees sufficient for the Provision of a Nudjeeb during a Campaign?

A. I do think that a Nudjeeb or any other Hindostan Soldier, not subject to the rigid Discipline of the Europeans, would for Two Rupees go a very great Distance, and maintain themselves with it many Days, for that Money would procure them 150 lb. Weight of common Grain in Consumption in that Country.

Q. From your Knowledge of a Nudjeeb Battalion, whether this was the Kind of Pay the Nabob gave to his Nudjeebs even upon ordinary Occasions?

A. I do not know what the Nabob Sujah Dowlah allowed the Nudjeebs, but I know that Four Rupees a Month is very common Pay to Hindostan Soldiers, among the Country Powers.

Q. Whether they do not engage with them for higher Pay, if they are Soldiers of Credit and Character, than the Company does?

A. I never understood or heard of any Native Power giving as much to a Foot Soldier, as the Company give to their Sepoys.

Q. The Question is as to a Nudjeeb?

A. Not my Knowledge.

Q. Had any Thing been said to this Nudjeeb, when he was brought into the Battery, about the Begums before he gave this Account of being sent by the Begums?

A. Most certainly not a Word; I am sure that I was present during the Whole of his Conversation, and that I went up to him as soon as any Person in the Battery.

Q. (by Managers.) Do you recollect who began the Conversation?

A. I do not recollect the Name of the Person who began the Conversation.

Q. Do you recollect the Manner of beginning it?

A. I recollect the Manner of the Nudjeeb beginning it.

Q. Whether the Nudjeeb began the Conversation?

A. The Nudjeeb did not begin the Conversation till he was asked who he was, where he came from. I knew him to be a Nudjeeb from his Uniform.

Q. Who interrogated him, or asked him?

A. I do not recollect; there were several People about him at the Time.

Q. Are you sure he was not asked any leading Question?

A. Upon my Arrival in England, in the Year 1787, Mr. Hastings, knowing that I had been upon that Station at the Battery, seemed to give a great Importance to what I have been laying before the Court.—From that Circumstance, I did particularly attend to what the Nudjeeb said.—I did it the more so, as I stood there more distinguished than any of the People about him, who put the Question to him, from whence he came?

Q. In what Year was you called first to recollect the Circumstance of that Conversation with the Nudjeeb?

A. In England.

Q. How many Years after the Conversation had passed?

A. In England in 1787;—but several Years previous to that, those Subjects had been frequently talked over, while I remained in the Zemindarry of Benares.

Q. Then, you was not called upon to make any Affidavit?

A. I believe I was at the Siege of Bidgegur, when those Affidavits were taken, but I never was called upon, nor did I communicate it to Mr. Hastings; nor did I think it material or essential to the great Question, that the Begums were concerned, for there was no Doubt about it.

Q. Whether you did not hear that Mr. Hastings was directed, before he left India, by the Court of Directors, to make an Enquiry into that very Matter.

A. I really never did hear it.

Q. (by a Lord). You said, you saw a great Number of armed Men pass by when you was encamped; is it the Custom in India for any large Bodies of armed Men to offer themselves to the Service of a Prince, such Prince being then in an acknowledged State of Peace, and no Rumour going abroad of such Prince being upon the Eve of engaging in War?

A. I never did hear that it was customary for Military Adventurers, at least that it was generally so, to offer themselves in large Bodies.

Q. The Question does not mean 5,000 or 6,000, but 20, 30, 40, 50, 100, or 200?

A. I cannot speak to it.

Q. When

Q. When they are in Peace?

The Witness desired the former Question might be read.

The same was accordingly read by the Clerk, as follows:

Q. You said you saw a great Number of armed Men pass by when you was encamped; is it the Custom in India for any large Bodies of armed Men to offer themselves to the Service of a Prince, such Prince being then in an acknowledged State of Peace, and no Rumour going abroad of such Prince being upon the Eve of engaging in War?

A. When I spoke of large Bodies, I meant the small ones I saw coming daily into the Country, when collected.

Q. What were the Numbers of the small Bodies, which you saw passing by the Camp together?

A. They were 4, 5, 6, or 10; I do not know that there were more than 10 or 12 together, that I recollect, at a Time.

Q. Whether such a Number passed by your Station as could expect to find Employment, without that Prince was going to undertake some Kind of War or Enterprize?

A. I don't think that the Number collectively, that I saw pass by, would have come for Service, unless it was to a Person meditating some Enterprize.

Q. Whether you think that the Quality of that Ammunition, taken from Cheit Sing, was such as he could make up in his own Country; the Grape Shot, and others that you describe?

A. The Grape Shot was not such as I had ever seen made up, in any Country Stores.

Q. Whether you do not apprehend, if he had it not from the Company, that he must have had it from the French?

A. At the Time, it was mentioned by some of the Artillery Officers as French Shot: I do not know myself.

Then the Witness was directed to withdraw,

Then the House adjourned to the Chamber of Parliament.

Die Jovis, 7^o Junij 1792.

THE Lords being in their Places, the House resumed, the usual Proclamations made, and the Defendant appearing at the Bar, the Lord Chancellor said;

“ Gentlemen, you who are of Counsel for the Defendant may proceed in his Defence, and the Lords will be pleased to give Attention.”

The Counsel for the Defendant desired Permission to call Mr. Markham, for the Purpose of explaining a Paper printed in the Minutes, respecting a Matter of Account.

Mr. Markham was accordingly again called in, and the printed Minutes being shewn to the Witnesses, he said,

In Page 1750 is the Paper I mentioned as having received, translated from Durbidjey Sing's Papers, but the Clerk did not understand that this was the only Paper I spoke of, and there are other Accounts printed that I cannot vouch with that necessary Precision that might be expected. The other Papers are in Page 1751; one is a comparative Statement of the Revenue of Cheit Sing and Durbidjey Sing; and with respect to Cheit Sing's Revenue I cannot answer; and I believe there has been a Mistake in the Statement by my own Clerk, as he has put “*groß Jumma*” instead of “*gross Jumma*,”—and in Pages 1752 and 1753, are only an unfinished Statement of the Kistbundy of Jagger Deo Sing.

Q. Does that Paper, of the comparative Statement of Cheit Sing's Revenue, contain an Account of the Whole Zemindary, or only of particular Districts in that Zemindary?

A. All the Pergunnas are not in it.

Q. (*by the Managers*). Whether you have any Papers that will serve as a Supplement for these defective Accounts?

A. I have not.

The Witness was directed to withdraw.

The Counsel for the Defendant stated, That the Benares Narrative, and the Appendix to it, having been given in Evidence by the Managers for the Commons, though the Whole was not read by them, they requested that such Parts as were not read by the Managers, or by themselves on the Part of the Defendant, might now be referred to as Evidence on the Part of the Defendant.

The Managers for the Commons objected.

The Managers for the Commons were informed, That there could be no Doubt of the Propriety of the same being read, subject to such Observation as might afterwards be made upon it. (*a*)

Then, the Counsel for the Defendant desired, That Lieutenant John Grey might be called in.

Accordingly Lieutenant JOHN GREY was called in, and being sworn, was examined as follows:

Q. Was you in the Military Service of the East India Company in the Year 1781?

A. I was.

(*a*) See the Benares Narrative and Appendix *supra*, from Page 109 to 269.

Q. In what Part of India was you serving in the Beginning of that Year?

A. In the Beginning of that Year I was in Fort Guallior;—from the Commencement of June, for Three or Four successive Years, I was in the Zemindary of Benares.

Q. Do you mean Years preceding, and including, the Year 1781?

A. The succeeding Years of 1782, 1783, and 1784.

Q. Was you serving in the Detachment under the Command of Major Popham?

A. I was.

Q. At what Time was you at the Fort of Guallior?

A. From August 1780 till the Time the Fort was relinquished and given up to the Rannah of Gohud.

Q. You represented yourself as having been at the Fort of Guallior?

A. Yes.

Q. At what Time?

A. In the Beginning of the Year 1781.

Q. To the Time the Fort was given up to the Rannah of Gohud?

A. Yes.

Q. And you continued with Major Popham, in the Zemindary of Benares, from that Time downwards?

A. Yes.

Q. Was you stationed at the same Place with Mr. Wade?

A. I was.

Q. What did you observe with respect to any Men coming into the Country?

A. In the Camp at Mirzapore, I had repeatedly Occasion to observe small Parties of armed Men coming from the Westward, upon the Road to the capital Ford over the River Ganges, which communicated with Benares.

Q. Did this frequently happen?

A. Repeatedly.

Q. Of what Numbers might those Parties consist?

A. They rarely exceeded Seven or Eight Men.

Q. Did you and Mr. Wade then converse upon this Circumstance together?

A. We did.

Q. Was you at Benares after the Troubles broke out there?

A. I was not at Benares till the Month of January 1782; every Thing was quiet at that Time, and long before.

Q. When you speak of these Men, were they formed Soldiers or Recruits?

A. They were dressed in the Country Style of the Military Dress, armed with Match Locks and Sabres, and some with Spears—they appeared to be of the fighting Cast called Raje Poots.

Q. Where was you on the 20th or 21st of August 1781?

A. I was with the Detachment under the Command of Captain Mayaffre, in the unsuccessful Attempt upon Ramnagur.

Q. Who were the Officers that commanded upon that Occasion?

A. Captain Mayaffre commanded the Detachment, and Captain Doxat the Corps I served in—they were both killed.

Q. Was you yourself wounded upon that Occasion?

A. I was.

Q. Did this prevent your serving afterwards at the Siege of Bidjeygur?

A. I was for about a Month confined in the Fort of Chunargur, recovering of the Wound I had received at Ramnagur.

Q. When recovered, did you serve at the Siege of Bidjeygur?

A. I did.

Q. Did you there see Lieutenant Wade?

A. I did.

Q. Did Lieutenant Wade then mention to you, any particular Circumstance with respect to Nudjecs?

A. Lieutenant Wade did repeatedly—

Q. What?

Q. What?

A. That some Nudjeebs had been found at the Attack of the Batteries and Fort of Pateetah, One or Two of whom had been wounded; and that they had declared, they were a Party sent by the Begums to the Assistance of Cheit Sing.

The Managers objected.

The Question was waived.

Q. Was you in the Camp at Bidjeygur?

A. I was.

Q. Was there in the Camp, at that Time, any general Report with respect to the Affection or Disaffection of the Begums to the English Nation?

A. I frequently heard the Subject of the Assistance sent by the Begums, in this specified Aid of the Nudjeebs, asserted, and never heard it at all doubted.

Q. What became of you after the Capture of Bidjeygur?

A. I returned to Chunargur, where the Corps I belonged to remained stationed for about Two Years.

Q. During the Time you was in India, as far as you had an Opportunity of collecting the Sense of the Natives, in what Estimation was the Character of Mr. Hastings held by them?

A. In the highest Estimation by the Natives, whose Manners and Customs he was most particularly observant of; and to conciliate the Natives, it is indispensibly necessary to attend to their Prepossessions, arising either from Cast or Prejudice.

Q. You having spoken of the Natives, in what Estimation was Mr. Hastings held by the Army in general, with whom you served?

A. By the Army in general he was most particularly esteemed, as the Addressee, supercribed by a most numerous Body of Officers, evinced, at a Period when Mr. Hastings was quitting his Government.

Cross examined.

Q. Whether it is not usual for the fighting Cast, that you allude to in your Evidence, to go into various Parts of India to seek Service?

A. I should suppose so.

Q. Whether you know, of your own Knowledge, that these Persons, who so sought Service, were actually taken into the Service of Cheit Sing?

A. I do not.

Q. Where did they go?

A. They were in the direct Way to the Capital of Benares, beyond which Country there was none but the Company's Provinces in that Direction.

Q. Whether Mirzapore is not a great Gangway, both of Commerce and Travelling, from the South to the North Part of India?

A. Mirzapore is the great Route to and from the Decan, from the Western Part of India.

Q. Whether you gave Notice to your Commander in Chief, of your Observation relative to the passing of these small Bands of the Military Cast?

A. That I did not.

Q. Whether, in the Case of the remote Stations of several of the Company's Troops, placing the Commanding Officers beyond the Notice and Controul of the Board, afforded too much Opportunity and Temptation for unwarrantable Emoluments, and excited the Contagion of Peculation and Rapacity throughout the whole Army; whether you are of Opinion, this Character is justly to be attributed to the Army serving in India in the Year 1781?

The Counsel for the Defendant objected to the Question.

Q. (by a Lord) Was, or was not, a Spirit of Peculation and Rapacity prevalent in the Army in the Year 1781?

A. I was in the Zemindary of Benares during the latter Part of that Year, the Troops serving in which had fallen very much in Arrears—thus situated, the Emergency of the Rebellion of the Zemindary of Cheit Sing arose; the Troops, upon this Occasion, most zealously, under the Inconvenience of Want of Pay, did their Duty to the utmost.

The Question was repeated.

A. A very large Portion of the Army, stationed at Cawnpore, were brought down the Country, on the same Service with those in the Zemindary of Benares; they also most zealously united their Aids in Furtherance of the public Cause, and I am apt to think that they were under the same Circumstances,

circumstances, of want of Pay, with our original Detachment. In a well regulated State, no Part or it is from under the Controul of its immediate Government : Therefore, although some of the Military Stations were at the prodigious Distance of near 1,000 Miles from the Presidency, Orders were circulated, and obeyed, in those remote Stations, with as much Deference as if under the immediate Eye of the effective Government. At present, I have not the Honour of belonging to the Service I did belong to ; but I have the most perfect Conviction, that no Body of Men are more actuated with Patriotism and Zeal for their Country, from which they come, than are those Officers who serve in those distant Countries. I refer to the History of the several Wars that have taken place in those Countries.

Q. (By a Lord.) The Question now put to you is, whether the Contagion of Peculation and Rapacity was prevalent in the Army, according to your Knowledge and Observation of it ?

A. According to my Knowledge, not at all.

Q. From whom did you hear, that the Begums gave Cheit Sing Assistance ?

A. I heard it from Mr. Wade, on the Circumstance of the Nudjeeb's being sent to Cheit Sing's Assistance.

Q. You said, it was a general Report, prevalent in the Country, that the Begums gave that Assistance ; did you give yourself the Trouble to ask, what possible End or Object the Begums could have, in giving such Assistance to Cheit Sing ?

A. It did not occur to me to ask.

Q. You have said, you saw small Parties of armed Men moving towards the Country of Cheit Sing, did you ever remark or observe their Return from that Country ?

A. I did not.

Q. Whether you was in a Way, in a Situation, to know whether they did or did not return ?

A. I was in Camp at Mirzapore.

Q. How long did you continue at Mirzapore, after you had made this Observation ?

A. The Camp lay at Mirzapore upwards of Two Months, and in the course of that Time, these repeated Instances occurred, of armed Men, in small Bodies, passing that Way, and none the other Way.

Q. Whether you staid long enough there after it, to know whether, if they had refused the Service of Cheit Sing, they might not have returned ?

A. I certainly did ; I staid Two Months. Benares is a very short Distance from Mirzapore, and if they had not met with Service, they had full Time enough to return ; it is not above One or Two Days Progress from Mirzapore to Benares.

Q. At what Time did you observe the last of these Detachments going forward ; how soon before the Time of your quitting the Station of Mirzapore. ?

A. I did not notice it.

Q. What Time did you notice the First of their coming ?

A. The exact Day of the passing of the First I did not note, but the Instances occurred very frequently.

Q. Do you know the Time of your last Observation ?

A. No, I do not.

Q. Whether you know for certain, that though they were refused Service from Cheit Sing, they might not go afterwards to the Northward, to serve other Powers who might have Occasion for their Service ?

A. To the Northward of Benares ?

Q. To the North or West ?

A. To the Northward of Benares there are only the Begums, and Futtysaw, who is somewhat to the Northward of Benares.

Q. Did you ever hear of such a Person as the Nabob of Oude ?

A. I did.

Q. Did you ever hear of such a Person as Nudjeeb Cawn ?

A. I did ; Nudjeeb Cawn's Country lies about the North-north-west of Benares. I think Men going to Benares, with a View of serving in Nudjeeb Cawn's Troops, would have gone near 300 Miles out of their Way.

Q. Being refused Service at Benares, and going afterwards to Nudjeeb Cawn, must they necessarily have gone 300 Miles out of their Way ?

A. Having come from the Westward, it must be making a very great Angle, and the Distance, I believe, must be near 300 Miles.

Q. (by

Q. (*by a Lord*) Suppose they had gone from Benares to Nudjeeb Cawn, would they have passed by Mirzapore necessarily?

A. Mirzapore would have been a circuitous Way; but there is a Road to the Northward of the River, which is called the King's Road, and is the Road frequented by Travellers, from Delhi, into the Bengal Provinces.

Q. Then, you do not think it was absolutely necessary for them to go through Mirzapore, in their Progress, if denied Service of Cheit Sing, to any of the Northern Chiefs?

A. There are Two Ways. I have already said, the one to the Northward, the other to the Southward; the one by Mirzapore, the other by the King's Road.

Q. Why do you chuse, in mentioning those Northern Powers, to which they might be supposed to go, to mention the Begums and Futteh Saw only, and to pass by the Vizier, and the other great Powers in the North?

A. Between Benares and Fyzabad, the Residence of the Begums, there is no Country but the Nabob's, and that is not the direct Road to Lucknow, where Troops are hired for the Nabob's Service.

Q. Why do you mention the Begums and Futteh Saw only, and take no Notice whatsoever of any of the other great Northern Powers to which they might go?

A. They might have gone up to the Mountains; but it would have been very much out of the Way.

Q. Whether, from Benares, they might not be supposed to go to offer themselves to the Service of the Nabob, as well as the Begums?

A. They certainly might, if they chose to go Two Sides of a Triangle, instead of One.

Q. Why do you think the Begums had an Inclination to enlist them at all?

A. I have never said they did enlist them.

Q. (*by Counsel*) Whether, during the Time you was stationed at Mirzapore, you ever saw armed Men, to the Number of Seven or Eight, occasionally going out of the Zemindary of Benares?

A. No. I never did.

Q. Whether you are at this Time an Officer in the King's Service, or in the Service of the Company?

A. In his Majesty's Service.

Then the Witness was directed to withdraw.

Then the Counsel for the Defendant desired Colonel Popham might be called.

Accordingly Colonel POPHAM was called in, and being sworn, was examined as follows:

Q. How many Years did you serve in the Service of the East India Company?

A. About 16 Years.

Q. In what Year did you resign that Service?

A. The latter End of the Year 1784.

Q. Had you Occasion, during the Time you was in India, frequently to pass through Benares, and to observe the State of that Country?

A. Often to pass;—not much to observe the State of the interior Country.

Q. Had you any Opportunity of observing the State of Cheyt Sing's Forts and Army?

A. Little, or not at all, till I was employed against him.

Q. Being employed as you was, in the Year 1781, in principal Command against Cheit Sing, in what Situation did you then find his Forts and Army recently to have been?

A. His Forts were in very good Condition; they were plentifully stored with Provisions and warlike Stores; his Armies were in greater Numbers than I had ever heard of their being before.

Q. Did this State of those Preparations, as observed by you, indicate any Purpose of immediate Hostility?

A. In my Idea it did.

Q. Did you observe the State and Condition of his Grape Shot and Canister Shot, and did they appear to you to be of European Manufacture?

A. I had Two or Three Occasions of observing them, and they appeared to be of European Manufacture—the Quilted Grape particularly.

Q. Did they appear to be of British or Foreign make?

A. I cannot well speak to that; it is a long Time since.

Q. To what Number did the Troops assemble under Cheyt Sing, when in their greatest Number?

A. I frequently saw great Numbers of them, I might have seen at one Time 400, 500, or 600. But I know from Accounts, and from Circumstances, that there must have been a much greater Number in different Parts of the Country with Cheyt Sing, and in his Garrison and strong Holds.

Q. The Number stated in the Narrative, and given in Evidence by the Managers, make the Amount of those Numbers about 40,000 Men of every Description, do you think, from the Information you was able to collect at the Time, That Cheyt Sing had any such Quantity of Force altogether?

A. I do believe he had, because I believe the Amount mentioned in the Narrative partly came from myself, and partly from the Intelligence Mr. Hastings himself got.

Q. Had you any Means of knowing, whether Cheyt Sing encouraged, or had it in his Power in any Manner to check, the Massacre at Shewallah Ghaut?

A. I should imagine, had Cheit Sing been held in Esteem and Authority by his Subjects, or by his People, he certainly might have prevented it.

Q. Did you know of any Means used by Cheit Sing, for the Purpose of either preventing it, or checking the Effects of it, and the consequent Confusions of the Country after that Event had happened?

A. I never heard he did.

Q. What was the immediate Effect of that Massacre, upon the Country, and the British Interest in that Country?

A. Certainly it disturbed the whole Country; and Cheit Sing collected all his Troops and People of his Country together, to defend himself, after what he had done.

Q. Had you any Means of knowing, whether Cheit Sing received any considerable Military Assistance, during the Rebellion, from any Native Powers in India, and particularly from the Begums.

A. I understood that he had Assistance from the Begums, from some Corps called Nudjeebs.

Q. Was that the prevailing Opinion of the British Camp at the Time?

A. It was.

Q. Did you yourself see any of those Nudjeebs, in the Country of Cheit Sing?

A. I saw several of them against us, upon the taking of Patteeta. After all was quiet in and about the Camp, I went to see the Place, and, on the Inside of the Wall, I saw a wounded Nudjeeb. I asked him, who he was; he gave me to understand, that he was a Nudjeeb, sent by the Begums, and was one of a Party of 700, that had been sent by the Begums the Day before; that is, that he had arrived the Day before; that he had received Two Rupees; that he had been Two Days in the Service—that is, there;—and had received Two Wounds. The Expression of the Nudjeeb is

I ordered him to the Hospital; where he remained, I believe, till he recovered, and was dismissed—as I generally sent all the Prisoners, who had been wounded, to the Hospital, in order that they might be taken care of, until they recovered, and then I directed them to be dismissed.

Q. Do you know whether this Man, was the same Man who had been before seen and spoken to by Captain Wade?

A. I cannot speak to that.

Q. Was Captain Wade an Officer in your Corps at that Time?

A. I cannot speak to that particular Question, because I understand there were several of them.

Q. Had you an Opportunity of observing, whether the principal Part of the Troops serving under Cheit Sing were new Levies, or Troops that had been long in the Service?

A. Great Numbers of them seemed to be, for the most Part, new Levies.

Q. Are you sufficiently acquainted with the Customs and Manners of Hindostan, to say whether it is a Mark of Respect, on the Part of an Inferior, to visit his Superior, to meet him, with a large Military Force, Part of that Force being conveyed in Boats filled with armed Men, and the other Part attending such Inferior upon the Sides of the Shore, along which he was proceeding in his Boat.

The Managers for the Commons objected to the Question.

Q. Whether an Attendance, under such Circumstances, was respectful or otherwise?

A. By no Means respectful, as far as I understood.

Q. You had frequent Opportunity during the Disturbances at Benares, to see and converse with Mr. Hastings—Did you, in all those Opportunities of Conversation with him, discover any Thing that indicated Malice towards Cheit Sing, or a premeditate Purpose to ruin him?

: The Managers for the Commons objected to the Question.

Q. Did any Fact fall under your Observation, proceeding from Mr. Hastings, that indicated Malice towards Cheit Sing?

A. Not in the least; the very Reverse.

Q. Have you any Means of knowing, whether the Troops in the Service of Cheit Sing, who were assembled near Shewallah Ghaut, after the Arrest of Cheit Sing, were so assembled there, in consequence of Orders, or resorted there in such Numbers by mere Accident?

A. I should suppose, that they rather resorted there in consequence of Orders, than by Accident.

Q. You arrived at Shewallah Ghaut after the Massacre—did you observe any other Description of Persons there but armed Men?

A. None—none, but armed Men.

Q. Whether, after the Massacre of Shewallah Ghaut, you are of Opinion, that Mr. Hastings could, with Safety to the British Interest in India, have listened to Terms of Accommodation with Cheit Sing, and have left him in the Possession of his Country?

A. I think not.

Q. If Mr. Hastings had so done, what Effect do you apprehend it would have had on the Spirits of the Army of the Native Soldiers, and upon the Minds of the Country Powers of India?

A. It would have depressed the Spirits of the Army most undoubtedly, in my Opinion, and it would have been derogatory to the Interest of the British in that Country.

Q. Did you know of any submissive Letters, written by Cheit Sing to Mr. Hastings, And was you able to judge, or what Purpose those Overtures were circulated?

A. I received some myself, to interest myself for Cheit Sing with Mr. Hastings; but I conceived at the Time, they were meant merely to amuse.

Q. Do you remember, whether Panna had not the Command of the Garrison of Bidjegur, in the Year 1781?

A. All Overtures to me from Bidjegur, were made from her.

Q. Did she give Orders, and exercise the principal Authority within that Garrison?

A. From what I have said before, I suppose she must.

Q. Was that Fortrefs, do you know, the Place of her ordinary Residence, or was she there only after the Time the Troubles had broke out, having resorted there as to a Place of Security?

A. I believe she was there in consequence of the Troubles merely—I do not believe it was her usual Place of Residence in Time of Peace.

Q. Can you relate, in what Condition of Strength you found the Fortrefs of Bidjegur; describe its Situation, and the Circumstances that constituted its particular Strength?

A. It was a large Fort, upon a very high Hill, and an Enemy could not, without some Difficulty, get at it, at least we found it such; even when our Batteries were made, we had some Trouble in making any Breach, or any Way for the Troops to enter, and were obliged to apply to a Mine for that Purpose.

Q. What length of Time was necessarily occupied in the Siege of that Place, before the Surrender of it?

A. I believe, about a Month or Five Weeks.

Q. Was the Capture of that Fort an Operation,—a military Operation, of considerable Difficulty?

A. In my Opinion it was.

Q. How did you find that Fortrefs, upon its Capture, supplied in Articles for its Defence and Provision?

A. There was a great Quantity of Provisions and Stores in the Fort, a very large Quantity indeed of Grain, so much as to surprise us all.

Q. Was it supplied in such Manner as to be capable, in respect of Stores and Provisions, to have endured a Siege of much longer Continuance?

A. Most undoubtedly it was, as I think there were more Provisions, than the People who were in there could consume in Six Months.

Q. It is stated that Panna, after the Capture of Bidjegur, experienced some Degree of personal Insult and Injury at that Place;—state the Circumstances of that Transaction, as far

far as they fell within your Knowledge, and to what Extent they existed, and to what Cause attributed?

A. When the Women came out of the Fort, the Officer commanding there, directed all the Out-posts to be withdrawn; but One was omitted, where there was an Officer with some Sepoys. The Officer commanding in the Fort, directed that the Women should be attended with a Guard of Sepoys, to protect them to that Situation which I had appointed for their Residence; they, unfortunately, went by this Post that had not been withdrawn; the Officers, not having received the Orders, stopped them, and took something from them,—what, I cannot tell. Upon hearing it, I sent an Officer, who was in my own Family, directing he would see them redressed, and that the Officer, whoever he might be, should be severely reprimanded by the Commanding Officer of the Corps. The Officer, in consequence, gave up, I believe, every Thing that he had got,—I am not clear as to the Spoil,—and he was sent to the Commanding Officer, who, I believe, reprimanded him.

Q. Was the Offence thus given to Panna, the Result of Accident, or of any Orders given by Mr. Hastings?

A. It could not possibly have been the Result of any Orders given by Mr. Hastings, because I never received such from him; nor was he present at the Time: It was entirely Accident, occasioned by the Officer's not being withdrawn from the Post, as I before said.

Q. Therefore, the Account communicated by you at the Time that this Outrage, such as it was, was committed by the Followers of the Camp, was a Mistake in that particular?

A. Entirely so.

Q. Having stated, that you received no Orders from Mr. Hastings, of a Tendency to produce any Insult, or Outrage, towards the Panna; whether you did not receive other Orders of a very contrary Tendency?

A. I did. I believe I received more than One or Two Letters upon that Subject.

Then, a Paper was shewn to the Witnesses, and he was asked,

Q. Whether that is not one of the Letters you received from Mr. Hastings, upon that Subject?

A. It is.

Then, the same was delivered in, and the following Extract was read from the same.

“ Dear Major,

“ Benares, 30th September 1781.

“ The new Rajah Myapnarain was this Day proclaimed, and invested in the Raage with great Form and Solemnity.

“ I will apply to the Rajah for proper Persons to take Charge of such Tannahs as fall into your Hands.

“ I am well informed of Cheyt Sing's Family being left in the Fort of Bidjygur: It is unnecessary to recommend to you, what I know your own Humanity and Generosity will suggest in the Event of their becoming your Captives: I therefore only desire to intimate a Wish, that the earliest Attention may be paid to them should the Place be surrendered to you, and that you will provide for their Protection, with a Solicitude that may shew that their Honor and Safety are particular Objects of our Regard; and this you will, I hope, be able to effect by the same Means which it is necessary to employ for securing their Persons, without any Trespas on the Respect and Decorum due to their Rank, and still more to their Misfortunes. But it is indispensable on me to reserve them as Hostages, for the Safety of Gopaul Doss and other Persons in the Rajah's Power, who have adhered to us.

“ I have already acquainted you with my Intention to reward the Conduct of Govind Jeet, agreeable to my original Promise, if it should appear that he has brought the Aid he proffered, as soon as it was in his Power. I am very desirous of seeing him here, or at least a Vakeel from him.

“ A Lack of Rupees is ready here, and I wish to send it to you, but do not know how I can transport it; either send for it, or instruct me how to send it to you.

“ I am, dear Major,

Your obedient and faithful humble-Servant,
Warren Hastings.

Then the Witnesses was asked,

Q. Upon what Day did they come out?

A. On the 10th of November.

Q. Was that a private Letter to you?

A. I believe it was a public Letter.

Q. Was it ever transmitted to the Board by you, or otherwise made public?
A. I do not know.

Q. After Panna left Bidjegur, to what Place were they conducted, and by whom?
A. To Benares, by Mr. Scott, who was Persian Interpreter.

Q. Do you happen to know, whether Panna expressed a Wish to be attended by that Officer?
A. To the best of my Recollection she did.

Q. Had you any Reason afterwards to know how Panna was satisfied with her Treatment, in the Course of her Conveyance from Bidjeygur to Benares?

A. I believe she expressed great Thankfulness for our Behaviour towards her during the Time she was with us, both to Mr. Scott, and to Mr. Markham the Resident. And, I think, about a Year or Two afterwards, I cannot recollect exactly, I was sent up the Country myself to Scindia,—Cheit Sing sent a Person, who came backwards and forwards from the Women to me, to thank me for the Care I had taken of the Women, and my Behaviour towards them; they also sent themselves a Message to the same Purport, by the same Person.

Q. Do you know, what was the Amount of the Treasure found in Bidjeygur,—as nearly as you can recollect?

A. I believe about Twenty or Twenty-two Lacks of Rupees.

Q. Was you enabled, from any Circumstance, to judge whether Cheit Sing had carried off any considerable Quantity of Treasure from Bidjeygur?

A. I heard, from different Accounts, that he did; some said Fifty or Sixty Lacks of Rupees, others said more, and some less. In Bidjeygur, where the Treasure was, there were several empty Chetts, which the Gentlemen seemed to think had been recently filled with Bullion, both Gold and Silver.

Q. Was that Sort of Treasure found in Bidjeygur principally Silver?

A. There was Gold and Silver.

Q. Was the largest Proportion Silver?

A. I really do not recollect at this Time.

Q. Were any Diamonds, or other Things of Value, found in Bidjeygur, besides the Treasure which you have spoken of?

A. There were some Jewels—a very few precious Stones.

Q. Of any considerable Value?

A. Of no considerable Value—except a Sword, and those Beetle Boxes.

Q. Are those the Articles, of which we have heard already, as having been sent to Mr. Hastings, and returned?

A. Yes, they are.

Q. Have you any Means of knowing to what Amount the Wealth of Cheyt Sing extended?

A. None, but by Hearsay. I understood him to be worth upwards of a Crore of Rupees—a Million of Money.

Q. Was that the prevailing Opinion of Persons, from whom you had any Opportunity of collecting Information in the Country?

A. In general, I believe it was.

Q. During your Residence in India, had you any Means of knowing, in what Estimation Mr. Hastings was with the Natives of that Country, with the Army, and with the British Subjects resident there?

A. I believe he was held in the first Esteem by the Natives of the Country, as a Man of high Honour and Benevolence, and by the Army, in general, as an excessive good Servant to the Company and the Nation;—a Man, whom I myself would wish to serve under, or with, in Preference to any of my Acquaintance, in so high a Character and Station as he has been.

Cross examined.

Q. As you have spoken of the Massacre at Shewallah Ghaut, whether you was present at that Scene?

A. I was not.

Q. Then, how do you know, that the Rajah might have prevented it, if he had pleased, otherwise than by your Conjecture?

A. I beg Leave to make the same Answer that I did to the Counsel upon that Subject.—If he had Authority, and was held in Esteem by his People, he certainly had it in his Power to prevent it.

Q. If you have any other Means of knowing it, than by that hypothetical Conjecture?

A. None other.

Q. Whether you have read the Affidavits concerning that Transaction, annexed to Mr. Hastings's Narrative ?

A. I have read the Whole of them.

Q. Whether you recollect the particular Affidavit of Ruggoobur Sing, an orderly Sepoy, to Lieutenant Stalker ?

A. I don't recollect the Names.

Then, the Deposition of Ruggoobur Sing, in Page 251, of the printed Minutes, the Deposition of Bilhen Sing, in Page 250, and the Deposition of Shekeh Hossim Hoolia, in Page 249, of the same, were shewn to the Witness, and he was asked, .

Q. Whether, or no, you believe these Affidavits contain a true State of the Case ?

A. I beg Leave to observe, that I never had an Opportunity, I believe, of reading those Affidavits, till some Time after my Arrival in England.

Q. Whether, when you read those Affidavits, you were of Opinion that they gave a fair Account of the Transaction ?

A. I believe they did.

Q. Whether it was not natural, according to the Usages of that Country, for the Rajah's principal Relations, Servants, Zemindars, and Military Men, to be exceedingly alarmed and provoked at the putting their Master and Rajah, in Arrest, under a Guard of Sepoys ?

A. I should suppose it very natural.

Q. Whether you informed Mr. Hastings of those Observations concerning the Nudjeebs, and the Conclusion you drew from their Appearance ?

A. I do not recollect I particularly spoke to Mr. Hastings, of the Nudjeebs, because it was so universal an Opinion, and so well known a Fact in short, that they were there, by every Officer and Gentleman, with the Army, that I made no particular Report of it.

Q. Whether you did not understand that Sir Elijah Impey was employed in Benares, collecting Affidavits concerning Cheit Sing's Revolt, and all the Particulars relative to it ?

A. I must undoubtedly heard it.

Q. Whether you did not hear that he was at Lucknow, collecting Matter of Affidavits relative to the Crimination of the Begums upon the same Subject ?

A. I heard he was there to take Affidavits ; that he had been there, and took Affidavits ; I cannot say whether he went there for that Purpose.

Q. Whether you was applied to by any Person whatever, upon the Part of Mr. Hastings, to tell what you knew upon that Subject, before Sir Elijah Impey, either at Benares, or in Oude, or in either Place, was any Application made to you for that Purpose ?

A. None ; never in India.

Q. Whether you do not know, that Mr. Hastings published, in India, a Narrative, with those Affidavits annexed, which he declares himself to have published, to free himself from Charges upon that Subject, or to anticipate Charges upon that Subject ?

A. I am not certain that I heard it in India—I left the Country before Mr. Hastings—the first Time I heard it, I think, to the best of my Recollection at present, was after my Arrival in England.

Q. At what Time did you leave India ?

A. In December 1784, I believe.

Q. Did not Mr. Hastings, before you left India, likewise publish an Answer to the Censures of the Court of Directors, upon the Subject of Cheit Sing ?

A. I really don't know.

Q. Whether, at any Period of Time, during your Residence in India, you was applied to by Mr. Hastings, or any One, upon his Part, for your Evidence upon that Occasion ?

A. I believe I have replied to that Question before.

Q. Did you, when you had this Nudjeeb in your Power, keep him for any further Examination relative to the Objects of your Conversation ?

A. Not at all ; I kept him merely for the Purpose of his Wounds being healed.

Q. Where did you find the wounded Nudjeeb ?

A. I believe I have said withinside the Wall.

Q. Was he brought there from the Battery, or had he been wounded upon the Occasion of taking the Place ?

A. I believe he must have been wounded upon the Attack of the Place, and might have been wounded perhaps near the Spot where I saw him.

Q. Whether

Q. Whether you, in those Discourses, have ever heard any Conversation, or given or heard any Opinion, concerning the Object which the Begums might have, in aiding Cheit Sing to overturn the British Government?

A. I cannot charge my Memory with it at present.

Q. Whether you had not heard it reported, that Saadut Ally, the Brother of the Nabob of Oude, was disposed, at that Time, to excite Troubles, and to employ a Force, in Support of Cheit Sing's Rebellion?

A. I should rather suppose not.

Q. Why not?

A. Because the Hospital, when we retreated from Benares with our Troops, was left under his Charge.

Q. Whether you heard that such a Report prevailed?

A. I cannot charge my Memory with having heard it.

Q. Have you read the Affidavits upon this Occasion, annexed to Mr. Hastings's Narrative?

A. I mentioned before, that I had read them all; but I cannot charge my Memory with this Fact.

Q. Whether you do not think it more probable, that ambitious Men and military Men should employ Nudjeebs upon this Occasion, than Women, whose chief Protection was derived from British Authority, the Guarantee of British Authority?

A. This Man was also under our Guarantee and Authority.

Q. Whether military Men, with ambitious Views, might not be more likely to employ them?

A. To be sure.

Q. Whether there was not an Opinion prevalent, or a Report spread, that the Nabob himself seemed, at one Time, disposed to excite Troubles, upon the Occasion of Cheit Sing's Revolt?

A. I really cannot charge my Memory with having heard it.

Q. Whether you have ever conversed with Mr. Hastings upon that Subject?

A. Never, to the best of my Remembrance.

Q. Whether you was with Mr. Hastings, at the Time of his meeting with the Nabob at Chunar?

A. I was not.

Q. Whether you have heard of Mr. Hastings's making any Remonstrance to the Nabob, or his Minister, Hyder Beg Cawn, at Chunar, relative to the Aid of Nudjeebs, sent by his Mother and Grandmother to the Aid of Cheit Sing?

A. I don't recollect it.

Q. Whether you have not heard of an Affidavit, or a solemn Deposition, made by Hyder Beg Cawn, upon the Subject of those Troubles?

A. I have read the Affidavits; and if it is among those, I have heard of it.

Q. Whether the Affidavit does not declare, that Hyder Beg Cawn—

The Counsel for the Defendant objected to the Question.

Q. (by Managers) Whether, or no, you recollect, that Hyder Beg Cawn had declared, in that Affidavit, that he has told the Truth, and nothing but the Truth?

A. I do not recollect having read these Affidavits, till my Arrival in England?

Q. Whether you recollect, that, in that Affidavit, he has declared the Truth, the whole Truth, and nothing but the Truth?

The Witness, looking at a Paper, said,

A. I read it here.

Q. Whether you recollect, that there is any Mention whatever made, in that Affidavit, of any Share the Begums had in the Troubles of Benares?

The Counsel for the Defendant objected to the Question.

Q. Whether you recollect, in such Affidavit, to have found any such Assertion concerning the Begums?

The Witness, looking at the Paper, said,

A. I see nothing about the Begums in it.—Is this the Whole?

Q. Whether,

Q. Whether, if the Begums had entered into a Plot to overturn the British Government, through the Medium of Cheit Sing's Rebellion, and had sent 500 or 700 Nudjees to the Assistance of Cheit Sing, Hyder Beg Cawn was not, from his Situation, as likely to know that Fact as any other Person?

A. I suppose he was as likely to know the Fact as any other Person; but I don't speak as to the Affidavit.

Q. Whether he was not as likely to know it?

A. Yes.

Q. Whether you know, or have not heard, that it is very usual with Women of great Condition to reside in strong Hill Forts in India?

A. In Times of Danger, very usual.

Q. Whether it is not often their Place of Residence in Times of no Danger at all?

A. It is in general usual for them to reside where their Families are; where their Husbands and Masters are.

Q. Whether they do not reside there?

A. When the Heads of the Families are there, certainly.

Q. Whether they do, or not, frequently reside in them, when the Heads of their Families are not there?

A. No, not that I have ever understood.

Q. Whether Widows do not so frequently reside?

A. Widows reside with their Families. I must give the same Answer to that as the other.

Q. Whether you do not recollect having taken the Fortrefs of Guallior?

A. I do.

Q. Whether you did not resign that Fort to the Ranna Rajah of Gohud?

A. I did.

Q. Whether, when you had resigned it, you had not Reason to believe, the Rajah's Wife resided in that Fort, even when he did not reside there himself?

The Counsel for the Defendant objected to the Question.

Q. (*By a Lord.*) Do you know whether this Woman resided there?

A. As far as I understood, she did, even to the taking of the Place by the Mahrattas.

Q. (*by Managers*) Whether you recollect to have heard of any Circumstance belonging to her, upon the Apprehension of her being taken in the Fort?

A. I cannot charge my Memory at present with it.

Q. Have you ever conversed upon the Subject of Gohud with Mr. Anderson?

A. Frequently.

Q. Have you not heard of some Circumstance relative to the Wife of the Ranna, when she apprehended the Fortrefs of Gohud would be taken?

A. If the Honourable Manager will have the Goodness to state the Circumstance, as I cannot charge my Memory with it, I will then reply in the Negative or Affirmative.

Q. Whether you do not know, that that Lady had ordered her Head to be cut off, in case of such Event, and her Body to be blown up with Gunpowder?

A. I really do not recollect such a Circumstance just now; I believe it may be so; I don't know that it was not so.

Q. Whether, after that Letter of Mr. Hastings, recommending humane Treatment to the Ranny Panna and the Persons with her, you recollect that you received a Letter from Mr. Hastings, dated Benares, 22d October, 10 o'Clock P. M. (a)

A. Yes; I do.

Q. Do you recollect, whether Mr. Hastings did not charge you, in that Letter, 'to reject her Offers, or any Negotiation with her, as a Means of obtaining Possession of the Fort upon your own Terms; and that she would contrive to defraud the Captors of a considerable Part of the Booty, by being suffered to retire without Examination?'—This is for your Recollection.—Do you recollect it?

A. Perfectly.

Q. Whether you recollect he there said, 'he should be sorry your Officers and Soldiers should lose any Part of their Reward to which they were so well intitled?'

A. I do.

(a) See Page 282 printed Minutes.

Q. Whether you recollect this Passage, ' What you have engaged for I will certainly ratify ; but as to permitting the Rannee to hold the Pergunnah of Kurteek, or any other in the Zemindary, without being subject to the Authority of the Zemindar, or any Lands whatever, or indeed making any Conditions with her for a Provision, I never will consent to it ; ' and whether you received that Letter from Mr. Hastings, and to that Effect ?

A. I did.

Q. Then, whether that Letter was any more a private Letter than the former Letter ?

A. No more so.

Q. Whether, in the Letter of the 12th of November 1781, you did not express yourself sorry to inform Mr. Hastings that the Licentiousness of your Followers was beyond the Bounds of Controul, for, notwithstanding all you could do, her People were plundered on the Road of most of the Things which they brought out of the Fort, by which Means One of the Articles of Surrender has been much infringed ?

A. I do.

Q. Whether in correcting your Narrative upon this Occasion, you do not attribute this Misdemeanor, not to the Followers of the Camp, but to some Officer ?

A. I have said so, I believe, before.

Q. What Punishment the Officer suffered for such Misbehaviour ?

A. I mentioned, I believe, that he was reprimanded by the Officer that commanded at the Fort.

Q. Was that all the Punishment he received ?

A. The Whole.

Q. Whether Mr. Hastings did not write a Letter to you, ordering you to menace the Ranna with the Consequences that must attend Women, upon a Place of that Kind being taken without capitulating ?

A. I think he did.

Q. What were the Offers which Panna made for Surrender upon the 20th or 21st of October, to which Mr. Hastings replies in the Letter of the 22d of October ?

A. I don't accurately recollect what Offer she made.

Q. Did she make an Offer to surrender upon any Terms, upon the 20th or 21st of October ?

A. I believe they were merely to surrender the Fort.

Q. Whether, or no, they did not relate to the Preservation of some Part of her Property, and carrying away Part of her Effects, without being subject to Examination ?

A. I believe it did.

Q. Whether it was not a Part of this Capitulation, that she should be permitted to hold the Pergunnah of Kurteek, or some other, without being subject to the Authority of the Zemindars ?

A. I believe so, from the Answer that was given.

Q. Whether you have a Copy of the original Letter you wrote to Mr. Hastings, upon that Occasion ?

A. I do not know that I have, having lost a great Number of my Papers.

Q. Were those understood to be Lands, that she had been in Possession of before, or any of them ?

A. I really don't know.

Q. Was not the Offer made as such, to let her have some Lands and Villages she had possessed before ?

A. I do not know.

Q. You don't know how it is, one Way or other ?

A. No.

Q. Whether you have not heard she had Two Houses, besides this Fort of Bidjegur ?

A. I do not recollect.

Q. Whether you know that any of the Houses, or Lands, or Demesnes of any Kind, were ever assigned to her, or the Profits remitted to her ?

A. Not to my Knowledge.

Q. Whether she did not desire she might reside at Benares, or in that Country ?

A. I forget whether she did, or not.

Q. (*by a Lord.*) Whether she was in Fact, put into actual Possession of them?

A. I really don't know what was done with her after she went from me, but from what I heard; and that is, that she was sent into the Maratta Country, somewhere to the Westward.

Q. Do you know whether it was at her own Desire, or no?

A. I cannot positively say.

Q. Whether any of the Accountants, or Accounts of the Treasure found in the Fort, were exhibiting when you took Possession of the Fort?

A. I did not enquire for any; therefore I really don't know that there were.

Q. Whether any Means were taken to ascertain, what Part of the Property belonged to Cheit Sing, and what to the Panna?

A. None;—no Enquiry, to my Knowledge.

Q. When Cheit Sing is supposed to have taken the Rest of the Money at the Fort, if he considered the 20 Lacks of Rupees left there as his Property, might he not have taken it away along with the Rest?

A. I believe, if the Hurry and Confusion of his Flight would have admitted it, he would have done it.

Q. Whether you know the Hurry and Confusion of his Flight to have been such, that he could not take One Part as well as the other?

A. I do not know it from any good Authority—I only suppose so.

Q. Whether you know, at any Time whatsoever after the taking of the Fort at Bidjegur, or after the Removal of Cheit Sing out of that Country, that any Steps were taken to obtain an Account of his Treasure from any One of his Mutsuddies, or Accountants?

A. By no Body belonging to me—Nor do I know of its being done by any Body else.

Q. Was any Inventory taken of the Effects found within the Fort of Cheit Sing, exclusive of the Money?

A. I believe the different Officers, of the different Departments, took Accounts.

Q. Whether you, as Commander in Chief, ever had such an Inventory delivered to you?

A. I observed, that I believe the different Officers, in the different Departments, took Accounts of the Artillery, Military Stores, Provisions, and Effects found in the Fort.

Q. By Effects, is meant all Effects, such as Jewels, Plate, Trinkets, and all Kind of valuable Effects, Clothes, and other valuable Effects usually found with Indians of Condition?

A. I believe there was.

Q. Whether you have it?

A. I have not.

Q. Nor any Copy of it?

A. Nor any Copy of it.

Q. Whether you know, that some of those Effects were not sold?

A. I believe they were all sold that would fetch Money.

Q. What Inventory was made of the Effects delivered to the Begums, of which they had been plundered on their March?

A. I believe no Inventory was taken of their Effects, said to be plundered on their March, because, I have before stated, that they got it all back again.

Q. For that Reason state, whether any Inventory was taken of what they got back again?

A. There was no Inventory taken, because, I suppose, the Gentleman who got it from them, could not have had it above a Quarter of an Hour in his Possession, before it was remanded back, and given to the Family—to the Women.

Q. To whom was it given back?

A. To the Women.

Q. Was the Officer who took it, obliged to give an Account of what he had taken from the Persons of these Women, and to make an Inventory of it, to compare it with what he returned?

A. There was no Inventory taken at all, of what was taken from the Women, as alluded to by the Question in a former Part of this Evidence, and now.

Q. What Number of Women and Children were in that Fort?

A. I cannot tell.

Q. Did not the Women amount to 300, besides Children?

A. I really cannot charge my Memory with it; it might have been 400, for aught I know, and perhaps not above 200.

Q. Whether

Q. Whether they had any Male Attendants, Eunuchs, or Servants of a Civil Kind?

A. I believe they had what was usual for Women in that Situation.

Q. Of what Number did the effective Garrison in the Fort consist?

A. I cannot charge my Memory with it.

Q. Whether Mr. Hastings did not, according to your Construction, give you and the Officers all the Money and Effects that they should seize in Bidjeygur?

A. I understood it so.

Q. Whether Mr. Hastings did not endeavour to deny this Gift, and to recall this Donation?

A. Mr. Hastings wrote to me upon the Subject, and, I believe, the Letter is before the Court.

Q. Whether your Officers did not refuse to obey the Revocation of Mr. Hastings?

A. They remonstrated with me upon it.

Q. Did they not absolutely refuse to comply with Mr. Hastings's Order and Revocation?

A. I cannot say they absolutely refused.

Q. Did they not divide it among themselves, in Spite of that Revocation?

A. They divided it.

Q. Whether Mr. Hastings did not commence a Suit on the Part of the Company against the Officers on that Occasion?

A. As I understood, did—the Government of Bengal.

Q. What was the Event of that Suit?

A. It was carried against the Officers, in India.

Did they appeal?

A. I understood they did.

How was it decided on the Appeal?

A. In Favour, I understand.

Q. (by a Lord) Whether you ever sent to Lieutenant Birrell, an Order to make his Way, by Force, into Shewallah Ghaut, when Cheit Sing was in Confinement there, and to carry Ammunition to our Troops there?

A. I did.

Q. Do you recollect, whether that Order was in Writing, or whether you sent it by a Message?

A. I cannot charge my Memory with it at present.

Q. Whether that Order was sent by the Direction of Mr. Hastings, with his Knowledge at the Time, or without?

A. I really believe, Mr. Hastings and I were in Communication together at the Time—I am not clear.

The Witness was directed to withdraw.

Then, the Counsel desired Captain Simes might be called in.

Captain SIMES was accordingly called in; and being sworn, was examined as follows:

Q. Whether you served as an Officer in India, and when?

A. I did serve in India.

Q. When did you go there?

A. In the Year 1780.

Q. When did you return from India first?

A. In the Year 1786.

Q. Was you here at the Commencement of this Trial, in the Year 1788?

A. I was.

Q. Did you return to India?

A. I did.

Q. When?

A. In the Year 1788.

Q. In what Month?

A. In the Month of April 1788.

Q. When did you return to this Country the last Time ?

A. A few Days since.

Q. Where had you been in the Interval—in what Situation ?

A. I had been in various Parts of India.—I went to Bengal in the Year 1788 ; and in the Beginning of the Year 1789, I went to Madras, where I served till January last, at which Time I sailed for Europe.

Q. Do you remember going to Cheit Sing's Country, in the Year 1780, or in the Beginning of the Year 1781 ?

A. In the latter End of the Year 1780, or in the Beginning of the Year 1781, I passed through Cheit Sing's Country.

Q. What Part of Cheit Sing's Country ?

A. Those Parts through which the Ganges run.

Q. Do you know of any ill Treatment which the English Officers received in Cheit Sing's Country ?

A. I do. I myself was an Instance, and I know of others.

Q. In what respect ?

A. In my Way through Cheit Sing's Country, I had Occasion, as every Traveller has, to send to the Villages adjacent, near the Banks of the River, for the necessary Provisions which all Travellers require.—I was refused them, my Servants were abused, and I could get nothing, although my Servants had received Money, and offered to pay for the Things they wanted. The Instances that came within my Knowledge were, one of Mr. Patten, and another Gentleman, who had preceded me a few Days ; their Treatment was worse than mine.

The Managers for the Commons objected to the Evidence.

The Witness said,

The Nature of my Evidence is this :—The Gentleman who preceded me was so mal-treated, that his Skull was fractured ;—the Gentleman was carried into the Fort of Buxar, as I understood, I did not see him, for he was not to be seen.—He was not expected to live.

Q. At what Period was it when you spoke of the personal ill Treatment of yourself, or of your Servants ?

A. Either in December 1780, or in January 1781. I cannot recollect, at this Distance of Time, in which of those Months it was ; but in one I remember it was.

Q. Was any Provocation given by you, or your Servants, for the Treatment you received in Cheit Sing's Country ?

A. Certainly none by me, and I believe, none by my Servants.

Q. Was you stationed at Cawnpore in the Month of August 1781 ?

A. I was.

Q. Do you remember the Circumstance of the Rebellion in Benares, at that Period, in the Months of August and September ?

A. I do.

Q. Was the Communication between Benares and Cawnpore open, or cut off ?

A. Cut off for some Time.

Q. Who commanded at Cawnpore ?

A. Colonel James Morgan.

Q. Do you know of any Detachment going from Cawnpore, into the Country of Benares ?

A. Europeans ?

Q. Yes ?

A. I do.

Q. Under whose Command ?

A. A Detachment was sent under the Command of Major Crabb, by Water, and shortly after the Remainder of the Brigade marched from Cawnpore, under the Command of Colonel James Morgan, to Allahabad.

Q. At what Period was that—what Month ?

A. I think in the Month of September.—I believe so ; or in August.—Either August or September, certainly.

Q. Do you know of any Assistance given to Cheit Sing, by the Begums, during his Rebellion ?

A. I heard it universally spoken of. I heard it spoken of as a Thing universally understood. I did not doubt it.

Q. Have

Q. Have you yourself been at Fyzabad ?

A. I have.

Q. What is the nearest Route for Troops to march from Fyzabad to Lutteefpore, Cheyt Sing's Country ?

A. I am not well acquainted with that Part of the Country ; but I believe, the nearest Road is by Jawnpore.

Q. Whether, in the Months of August and September 1781, there were any Civil or Military Officers belonging to the British Government, likely to have discovered these Troops in that Route, marching from Fyzabad to Lutteefpore ?

A. If the Troops had chosen to conceal their March, I think, they might easily have effected it, without Discovery.

Q. Do you know, whether Troops in the Service of the Native Princes of India are better paid than the English Sepoys, or worse, higher or lower Pay ?

A. Their Stipend, I understand, is lower, and not in general well paid.

Q. Is it usual, upon any Employment of Troops upon any Expedition, to give them Money in Advance ?

A. It is common amongst the Natives ; but not amongst the Europeans.

Q. What is it called—Subsistence Money ?

A. It is called Subsistence Money, and is given them for that express Purpose.

Q. Is the Sum of Two Rupees, a usual and customary Advance upon such Occasions ?

A. It is not an extraordinary Sum in any Respect—it is the usual customary Sum.

Q. You said, you were in different Parts of India, subsequent to the Rebellion in 1781 ?

A. I was.

Q. Did any Circumstance come to your Knowledge, subsequent to that Period, to induce you to doubt the Truth of the Report you had heard, of the Begums Disaffection, and Assistance to Cheit Sing ?

A. On the contrary, all that I heard subsequent to that, confirmed my Belief.

Q. You said, that when you last went to India, it was subsequent to the Commencement of this Trial—were the Charges against Mr. Hastings generally known in India, when you went there last ?

A. They were.

Q. Was it known that he was then under Trial ?

A. It was.

Q. In what Estimation was the Character of Mr. Hastings, during the whole Period of your being in India ?

A. I believe, with fewer Exceptions than falls to the Lot of most Persons in a high official Capacity—Mr. Hastings was respected and applauded in his public Capacity ; esteemed and beloved in private Life.

Q. Were there any Representations made, that you know of, against Mr. Hastings, by any of the Natives.

A. None, that I ever heard, against him. I heard, in India, that Petitions had been transmitted, by the Natives of India, on Behalf of Mr. Hastings.

Q. Did you understand that from the Natives themselves ?

The Managers for the Commons objected to the Question.

Q. Do you know in what Estimation Mr. Hastings was with Men in high Rank in India—the Princes in India ?

A. I have already said, that I have heard Mr. Hastings universally well spoken of.

Q. Do you recollect any Persons of high Rank ?

A. Does the Question mean Individuals ? I have heard Individuals mention it.

Q. Whether what you have described of the Estimation of the Natives, respecting Mr. Hastings, continued to be the same, after their Knowledge of the Prosecution of him, as before ?

A. As far as I had the Means of knowing, they certainly did not alter their Opinion.

The Managers for the Commons acquainted the House, That they had no Questions to ask the Witness.

The Witness was directed to withdraw.

Then, the Counsel for the Defendant desired Mr. Wright might be called in.

Mr. WRIGHT was accordingly again called in, and produced a Paper, and was asked,

Q. Does that Account contain a comparative Account of the Military Charges, Expence of Buildings and Fortifications, and Remittances from Bengal to the other Settlements, in all the Years from 1776-7, compared with that Year, down to the Year 1784-5?

A. It does.

The same was delivered in, and read as follows :

“ Amount of Military Charges, Expence of Buildings and Fortifications at Bengal, and the Nett Remittances from thence to the other Settlements (after deducting the Sums paid by those Settlements on Account of Bengal) from 1776-7 to 1784-5, shewing the Excess in each Year subsequent to 1776-7, and the average Amount of the Excess.

		Military Charges.	Buildings and Fortifications.	Remittances.	Total.	Excess since 1776.
1776-7	— C. R.	83,04,868	10,14,547	25,04,699	118,24,114	—
1777-8	— —	104,70,572	9,22,777	41,10,269	155,03,618	36,79,504
1778-9	— —	163,62,258	15,32,957	41,52,404	220,47,619	102,23,505
1779-80	— —	210,35,927	9,17,951	28,82,497	248,36,375	130,12,261
1780-1	— —	226,98,463	9,77,952	27,29,715	264,06,130	145,82,016
1781-2	— —	258,03,952	6,25,776	76,08,941	340,38,669	222,14,555
1782-3	— —	217,61,066	9,90,044	134,31,803	361,82,913	243,58,799
1783-4	— —	218,18,255	6,56,561	62,54,649	287,29,465	169,05,351
1784-5	— —	197,56,294	8,90,026	83,14,315	289,60,635	171,36,521
Total Excess		—	—	—	C. R.	12,21,12,512
Add Military Arrears due on 30th April 1785		—	—	—	—	47,43,000
		—	—	—	C. R.	12,68,55,512
Average Annual Excess		—	—	—	C. R.	158,56,939

“ East India House,
23d May 1792.

Errors excepted.

W^m Wright,

Auditor of Indian Accounts.”

Cross examined.

Q. Whether you have any Calculation of the Increase of all Manner of Expences in the Civil Department and the Military, not employed in the Service, in the Revenue, and in all Branches of the Revenue, during that Period?

A. I have no such Account.

Q. Whether you have been directed by the Defendant to make such an Account, or have been called upon by him for such Account?

A. No.

The Witness was directed to withdraw.

The Counsel for the Defendant stated, That they should next produce another Document, to prove, that the Directors recognized the Powers delegated to Mr. Hastings in the Year 1784.

Read, from Book 528, already delivered in, the following Extract of a General Letter, from the Court of Directors, to the Governor General and Council, dated 21st September 1785 :

“ Our Governor General in Council at Fort William, in Bengal.

“ Par. 6. In your Letter of the 17th January last, you have submitted the following Question to our Determination; viz. Whether the Company or the Vizier shall be charged with the Expence

(1814)

pence of the Detachment commanded by Sir John Cumming? and we have taken an early Opportunity of communicating to you our Directions herein. As your late Governor General, in virtue of the Powers with which he was invested, had agreed with the Vizier to strike out the Charge of this Detachment, from his Account, from 1st January 1785, we hereby direct, that the said Agreement be punctually adhered to.

(Signed at the End)

Tho' Parry,	W. Devaynes,
Tho' Fitzhugh,	Nathl Smith,
Chas Mills,	L. Sullivan,
George Cuming,	J. Manship,
Paul Le Mesurier,	Jn. Townson,
Hugh Inglis,	John Roberts,
James Moffatt,	Tho' Cheap,
	F. Baring."

Then the House adjourned to the Chamber of Parliament.

Die Sabbati, 9^o Junij 1792.

TH E Lords being in their Places, the House resumed, the usual Proclamations made, and the Defendant appearing at the Bar, the Lord Chancellor informed the Counsel for the Defendant, they might proceed with his Defence.

The Counsel for the Defendant proposed to deliver in certain Documents, to shew that Major Osborne was employed by the Vizier, and that his Conduct was approved of by him.

The Managers for the Commons desired to know, upon what Ground the same was offered.

The Counsel for the Defendant stated, That the Managers for the Commons having given in Evidence a Complaint made by the Vizier against Major Osborne after he left India, they tendered these Documents to shew that, in Point of Fact, his Conduct was highly approved of by the Vizier.

The Managers for the Commons objected to the Evidence.

The Counsel in Answer stated, That if it were distinctly declared by the Managers for the Commons that they did not mean by the above Complaint of the Vizier to affect the Credit of Major Osborne, they would not press the Matter further.

The Managers for the Commons stated, That as the Counsel for the Defendant had given in Evidence Acts of Violence committed by the Subjects of Cheit Sing against the British Troops, they had given the above Matter in Evidence to shew that Cheit Sing's People had been excited thereto by Acts of equal Violence on the Part of the British Troops, and not from rebellious Motives.

The Counsel for the Defendant produced a Book, intituled, ' AYEEN AKBERY, ' or the Institutes of the Emperor Akber, translated from the original Persian by ' Francis Gladwin ;' and informed the House they should next read certain Extracts from the same, to shew, that by the established Constitution of Hindostan, the District composing the present Zemindarry of Benares, always afforded Military Aid, both of Cavalry and Infantry, to the Sovereign to whom it belonged.

Read, the following Extract from the Second Volume of the above-mentioned Book, beginning at Page 27 of the Appendix to the same.

" Tukseem Jumma of the Soobah Illahabads,
commonly called
Allahabad, Sircar Allahabad,
containing 11 Mahls ;
Measutement, 5,73,611 Beegahs, 4 Bishwahs ;
Revenuc, 2,88,33,374 Dams ;
Seyurghal, 7,40,071½ Dams."

Read, a further Extract from the same Book, and same Page, as follows :

“ Kentet has a Stone Fort, 8,56,555 Dams.”

Read, a further Extract from the same Book, and same Page, as follows :

“ Kheeragurh, 4,00,000 Dams.”

Read, also, a further Extract from the same Book, beginning at Page 28 of the Appendix to the same.

“ Sircar Ghazipoor,
containing 19 Mahls ;
Measurement, 2,88,770 Beegahs, 7 Bifwahs ;
Revenue, 1,34,31,300 Dams ;
Seyurghal, 1,31,825 Dams.

	Dams.		Dams.
Belya - - -	12,50,000	Keryat Belly - - -	75,467
Peehowler - - -	6,98,204	Goopajeet has a Brick Fort - - -	9,42,191
Belyabafs - - -	6,55,769	Gundcha - - -	5,00,000
Behryabad - - -	3,55,340	Kerendeh - - -	2,93,515
Behlayej - - -	1,12,461	Lukkneyr - - -	1,26,636
Chowfa - - -	7,91,853	Mudden Benaris - - -	27,60,130
Deehba - - -	1,28,811	Mahommodabad and Purharbary	
Syedpoor Nemedi - - -	12,50,280	Two Mahls - - -	22,60,707
Zeheerabad - - -	6,57,920	This Sircar furnishes 310 Cavalry,	
Havelly Ghazipoor and the City		and 16,650 Infantry.	
(has a Brick Fort on the Banks			
of the Ganges) - - -	5,72,350		

“ Sircar Benaris.
containing 8 Mahls.
Measurement, 1,36,663 Beegahs, 12 Bifwahs ;
Revenue 88,69,318 Dams ;
Seyurghal 3,38,184 Dams.

	Dams.		Dams.
Afrad - - -	8,53,226	Byalfee - - -	5,47,634
The City and Havelly Penderhah	8,44,221	Herhowa - - -	7,13,426
Kuffora - - -	22,90,160	This Sircar furnishes 830 Cavalry,	
Cuthyr has a Brick Fort - - -	18,74,230	and 8,400 Infantry.	
Of Benaris - - -	17,34,721		

“ Sircar Jownpoor,
containing 41 Mahls.
Measurement, 8,70,265 Beegahs, 4 Bifwahs.
Revenue, 5,63,94,127 Dams ;
Seyurghal, 47,17,654 Dams.

	Dams.		Dams.
Aldeemow - - -	30,99,990	Sinjholi - - -	29,38,209
Anglee - - -	27,13,551	Sicunderpoor has a Brick Fort	17,06,417
Beektery - - -	8,44,357	Suckdee - - -	12,74,721
Behdang - - -	2,29,514	Serherpoor - - -	11,64,095
Telkunnee - - -	6,54,363	Shadyabad - - -	17,00,742
Jownpoor, with the Havelly, has		Zufferabad - - -	1,56,926
a Stone Fort - - -	42,47,043	Keryat Muttew - - -	5,51,410
Chandypoor - - -	14,67,221	Keryat Dostpoor - - -	4,81,524
Chandeh - - -	9,89,286	Keryat Mundeh - - -	3,94,870
Cheryakowt - - -	8,70,848	Keryat Sownhah - - -	2,06,753
Jugeysir - - -	2,86,586	Kowleh - - -	13,63,332
Khreed has a Brick Fort - - -	14,45,743	Kehweh - - -	12,41,291
Kaispoor Tandeh - - -	9,86,953	Ghewfy - - -	10,37,934
Khanpoor - - -	3,06,020	Gudawareh - - -	5,13,942
Dewgong - - -	25,83,205	Gowdyah - - -	3,41,890
Gopaulpoor - - -	1,80,403	Mow - - -	2,99,067
Keraket - - -	23,02,748	Nezamabad - - -	60,20,592
Mendyahoo has a Brick Fort - - -	52,89,465	Naikwan - - -	7,58,796
Mehommedabad - - -	32,29,063	Nehtupoor - - -	2,73,472
Mowngra - - -	5,29,730	This Sircar furnishes 915 Cavalry,	
Mehjowra - - -	4,20,164	and 36,000 Infantry.	
Rary - - -	13,26,299		

Read,

Read, also, a further Extract from the same Appendix, beginning at Page 31 of the same.

“ Sircar Chunadeh commonly called Chunar,
containing 13 Mahls ;
Measurement, 1,06,270 Beggahs, 8 Bifwahs;
Revenue 58,10,654 Dams;
Seyurghal 1,09,065 Dams.

	Dams.		Dams.
Aheerwarch	1,09,073	Villages near the River	8,45,371
Bhooly	11,12,656	Mujwareh	5,49,817
Bedhool	3,61,364	Mehayej	3,90,609
Tandeh	4,88,010	Mehwary	2,27,067
Chunar with the Havelly, (here is a Stone Fort)	8,33,098	Mehowry	2,06,283
Dhowfs	2,35,644	This Sircar furnishes 500 Cavalry, and 18,000 Infantry.	
Raghupoor	4,51,962		

Then Mr. Dallas was heard in Part to sum up the Evidence produced by the Defendant in Answer to the First Article of Charge.

Then the House adjourned to the Chamber of Parliament.

(1819)

Die Lunæ, 11^o Junij 1792.

THE Lords being in their Places, the House resumed, the usual Proclamations made, and the Defendant appearing at the Bar, the Lord Chancellor informed the Counsel for the Defendant, they might proceed in his Defence.

Then Mr. Dallas was further heard in Part to sum up the Evidence produced by the Defendant in Answer to the First Article of Charge.

Then the House adjourned to the Chamber of Parliament.

Die Martis, 12^o Junij 1792.

THE Lords being in their Places, the House resumed, the usual Proclamations made, and the Defendant appearing at the Bar, the Lord Chancellor informed the Counsel for the Defendant, they might proceed in his Defence.

The Counsel for the Defendant requested Colonel Popham might be called in, to explain some Inaccuracies in the printed Minutes of his Evidence.

Colonel Popham was accordingly called in.

Then, the printed Minutes were shewn to the Witnefs, and he said :

In Page 1801 are inserted the following Question and Answer : ‘ Q. To what Number did the Troops assemble under Cheit Sing, when in their greatest Number ?—A. I frequently saw great Numbers of them, I might have seen at one Time 400, 500, or 600 ;—It should have been 4,000, 5,000, or 6,000.

Q. Is there any other Mistake ?

A. There is the following Question in the same Page : ‘ Q. Was Captain Wade an Officer in your Corps at that Time ? The Answer is, ‘ A. I cannot speak to that particular Question, because I understand there were several of them.’ That could not be my Idea—I do not think the Question was put to me.

Q. That Question was put, What is your Answer now to it ?

A. He certainly was under my Command.

Q. He was under your Command ?

A. Most undoubtedly.

Q. You said ‘ there were several of them ;’ what do you mean by ‘ several of them’ ?

A. If by the Question it was meant to ask me, whether there were other Corps of Nudjeebs besides that which the Nudjeeb came from ; I understood there were other Corps of Nudjeebs besides the One he came from.

Q. That there were other Corps of Nudjeebs ?

A. I understood so.

Q. Is there no other Article you wish to correct ?

A. No other.

Q. (*by Managers.*) The Witnefs having corrected by his Memory Part of the Evidence that had been produced here before, and read ; namely, A Letter in which he informed Mr. Hastings that when the Women of Cheit Sing marched out of the Fort of Bidjeygur, One of the Articles was infringed by some of the Followers of the Camp ; by saying that it was by an Officer, and not by the Followers of the Camp, who was the Officer that committed that Outrage ?

A. I think the Gentleman is since dead—I do not recollect his Name.

Q. Was he an European Officer, or a Black Officer ?

A. He was an European.

Q. Do you know that he is since dead ?

A. I do not know it for a Certainty ;—I have heard so.

Q. Then, do you recollect his Name ?

A. No ; I do not.

Q. Did he share any Part of that Prize Money ?

A. He certainly did.

The Witnefs was directed to withdraw.

Then;

(1822)

Then, Mr. Dallas was further heard to sum up the Evidence produced by the Defendant in Answer to the First Article of Charge; and being fully heard thereupon,

The House adjourned to the Chamber of Parliament.

Die Veneris, 15^o Februarij 1793.

THE Lords being in their Places, the House resumed, the usual Proclamations made, and the Defendant appearing at the Bar, the Lord Chancellor said;

“Gentlemen, you who are of Counsel for the Defendant, may now proceed in his Defence, and the Lords will be pleased to give Attention.”

Then Mr. Law, of Counsel for the Defendant, was heard, in Part, to open the Defence to the Second Article of Charge particularly, and to observe upon the Matters relied on by the Managers for the Commons in Support of the said Second Article of Charge.

Then the House adjourned to the Chamber of Parliament.

Die Martis, 19^o Februarij 1793.

THE Lords being in their Places, the House resumed, the usual Proclamations made, and the Defendant appearing at the Bar, the Lord Chancellor informed the Counsel for the Defendant, they might proceed in his Defence.

Then Mr. Law was further heard to open the Defence to the Second Article of Charge particularly, and to observe upon the Matters relied on by the Managers for the Commons in Support of the said Second Article of Charge.

And, being fully heard thereupon,

The House adjourned to the Chamber of Parliament.

Die Mercurij, 20° Februarij 1793.

THE Lords being in their Places, the House resumed, the usual Proclamations made, and the Defendant appearing at the Bar, the Lord Chancellor informed the Counsel for the Defendant they might proceed in his Defence.

The Counsel for the Defendant informed the House, they should begin by laying before the House certain Documents of written Evidence.

And first, to prove that the Treasures and the Effects in the Possession of the Bhow Begum amounted to 170 Lacks of Rupees, or some other large Sum of Money, and that they were the publick Treasures of the late Sujah Dowlah, entrusted to her Custody in his Life-time, they desired Mr. Robert Hudson might be called in;

Mr. ROBERT HUDSON was accordingly again called in, and delivered in a Book endorsed, " 1765, Bengal Select Dup. Consult." and marked " 505."

Read, from the same, the following Extract of a Select Committee of the 10th August 1765.

" Fort William, the 10th August 1765.

" At a Select Committee; Present,
William Brightwell Sumner Esquire, President;
Harry Verelst Esquire.

" My Lord and Gentlemen,

" After much arguing, I have been obliged to restrain my Demand upon him to 50 Lacks, to which I have brought him to consent, but he strongly pleads his Incapacity to pay at present more than a small Part thereof, and requires somewhat more Time to discharge the Whole than I am willing to allow; however, this, with all other Matters, will be finally determined upon, when we have the Interview with his Lordship; in the Interim I have permitted him to send for his Mother and Family, as I imagine what Money there may be is lodged with them. (a)

(Signed at the End of the Letter)

" Illehabad,
the 3d July 1765.

" John Carnac."

(No Signature at the End of the Committee.)

Read, from Book 8, already delivered in, the following Extract of a Consultation of the 2d February 1775, beginning at Page 681 of the same Book.

" Fort William, 2d February 1775.

" At a Council; Present,
The Honble. Warren Hastings, Governor General, President;
Lieutenant General John Clavering,
The Honble. George Monson,
Richard Barwell, } Esquires.
Philip Francis, }

Secret Dept
Thursday
Evening.

" Read and approved, the Consultation of the 31st instant.

" Resolved, That the following Orders be immediately dispatched to Colonel Gailliez.

" To Colonel Primrose Gailliez.

" Sir,

" We have this Day received your Letter of the 23d Ultimo.

" It is our express Orders, on the Receipt of this Letter, that in either Event of the Vizir's Death before the Arrival of this, or of his continuing dangerously ill, you draw the Whole of the

Orders to C
Colonel Gailliez

Company's Forces under your Command to Fyzabad; in the latter Case it will be advisable to obtain the Vizir's Concurrence as a Measure necessary for his own Safety, and to prevent the Disorder which may arise during his Absence by Sickness, from the direct Management of his Affairs; but in the Case of his Death you are without Hesitation to bring down immediately the Troops to that Capital, and there to employ your whole Attention to maintain the Quiet of the City and the Country round, and to prevent the Embezzlement of the Vizir's Treasure by placing Guards upon it, but on no Account to take any Step which may embarrass the Company in the Line which it may be thought expedient afterwards to adopt; and you are to wait our further Orders which shall immediately follow this Letter. (a)

We are, &c.

(Signed at the End of the Consultation)

" Fort William,
the 2d February 1775.

" Warren Hastings,
J. Clavering,
Geo. Monlon,
Richard Barwell,
P. Francis."

Read, from the same Book, the following Extract of a Consultation of the 3d February 1775, beginning at Page 692 of the same Book.

" Fort William, the 3d February 1775.

Secret Dept.
Friday.

" At a Council; Present,
The Honble. Warren Hastings, Governor General, President;
Lieutenant General John Clavering,
The Honble. George Monlon,
Richard Barwell, } Esquires.
Philip Francis, }

" The Consultation of Yesterday read and approved.

" Question by the General.—What Force do you think Sujah Dowlah may have in his Service?

" Answer. About 100,000 Men; he has lately dismissed a Part of his Troops. (b)

(Signed at the End of the Consultation)

" Warren Hastings,
J. Clavering,
Geo. Monlon,
Rich^d Barwell,
P. Francis."

Read, from Book 7, the following Extract of a Consultation of the 20th April 1775, beginning at Page 1776 of the same Book.

" Fort William, the 20th April 1775.

Secret Dept.
Thursday.

" At a Council; Present,
Lieutenant General John Clavering, President,
The Honble. George Monlon, and
Philip Francis, Esquire.

" Honble. Sir, and Sirs,

" The whole Treasure amassed by the late Vizir during the Five or Six last Years of his Life, (amounting to at least Two Crore of Rupees) was from Time to Time, as received, always deposited with Buhhoo Begum. On the present Nabob's Accession she retained it in her Possession, without having disbursed any Part of it but for her own private Expences. (c)

(Signed at the End of the Letter)

" John Bristow,
Resident at the Court of the Nabob of Owd.

(And at the End of the Consultation)

" Warren Hastings,
J. Clavering,
Geo. Monlon,
P. Francis."

(a) Vide Appendix, N^o CCLXVI.

(b) Vide Appendix, N^o CCLXVII.

(c) Vide Appendix, N^o CCLXVIII.

Read, from Book 101, already delivered in, the following Extract of a Consultation of the 25th January 1776, beginning at Page 68 of the same Book.

“ Fort William, 25th January 1776.

“ At a Council; Present,
The Honble. Warren Hastings, Governor General, President;
Lieut. General John Clavering,
The Honble. George Monson,
Richard Barwell, } Esquires.
Philip Francis, }

Secret De
Thursday

“ Read and approved, the Consultation of the 15th instant.

“ Honble. Sir and Sirs,

“ I understand the late Vizier deposited the Surplus of his Revenues with the Begum, and having died Intestate, (or at least a Will was never produced, though One is said to be secreted by the Begum) it left a Door open to the Disputes which have happened; for according to the Koran, and the Usages of the Country, the Nabob could claim an infinitely greater Share than he has got. It is beyond a Doubt that she has Money: for her principal Eunuch brought me a Message one Day, not as a Matter of any Secrecy or Confidence, that the Wealth the late Nabob had amassed was intended to supply an Emergency. I answered, the Nabob could not well want it at a greater one, and pressed her very earnestly to supply his necessary Wants (a).

(Signed at the End of the Letter)

“ John Bristow,
Resident at the Court of Oude.”

(And at the End of the Consultation)

“ Warren Hastings,
J. Clavering,
Geo. Monson.”

Read, from Book 588, already delivered in, the following Extract of a Letter from the Nabob of Oude to the Governor General, beginning at Page 127 of the same Book.

“ From the Nabob Afoph ul Dowlah. Received the 9th February 1776.

“ The Letter addressed to you by my honoured Mother, Copy of which your Friendship induced you to send for my Information, I have perused, and perfectly comprehend the Contents. The Case is as follows:—The heavy Sums due to the Troops and to the English Chiefs at the Time of the Decease of my late Father, is not unknown to you; and it is moreover a well known Fact, that the Treasure of my late Father was always kept in the Junnana, from whence he drew it as Occasion required.—I repeatedly made the most submissive Applications to my Mother, representing to her that I was indebted very large Sums to the Troops and to the English Chiefs, that the whole Treasure of my late Father was in the Zunnana, and that I hoped she would shew her maternal Affection by assisting me in discharging the heavy Load of Debt under which I laboured. To these Representations she paid not the least Degree of Attention, but, on the contrary, turned a deaf Ear to all my Intreaties.—At last I commenced a Negociation through the Mediation of my Uncles, the Nabob Mirza Ally Khan Bahadre Dellaw'ur Jung, and the Nabob Khan Bahadre Salar Jung, to whom I joined Moktar ul Dowlah Sird Murtezza Khan. I also sent Mr. Bristow with them to be a Witness of the Transactions, that he might be perfectly informed of them, and enabled to bear Testimony on any future Occasion.—The Matter was accordingly accommodated on the Begum's engaging for the Payment of 30 Lacks of Rupees.—Out of this Sum she delivered Specie and Jewellery to the computed Amount of 19 Lacks of Rupees.—But even in this there was a Lots, and the remaining 11 Lacks are still due. Exclusive of the Effects which were in the Junnana, the Begum took Possession of other Goods, together with Elephants, Horses, and Camels, out of the Repositories, and appropriated them to her own Use, as well as the Muskets and Swivels which were in the Arsenals; and although I repeatedly represented to her that these Effects were distinct from the Zunnana, and were found in the Store-houses of the Sirkar, consequently that she could have no Claim to them, she would not hearken to me.—Afterwards, when I made a Demand of the remaining 11 Lacks of Rupees, she made use of various Artifices, and told me to take the Muskets and Swivels.—In my Conduct towards my Mother, I have never been deficient in shewing her every Mark of Respect, Obedience, and Duty; and I have settled on her, for her Support,

(a) Vide Appendix, N° CCLXIX.

Jaghires to the Amount of 11 Lacks of Rupees per Annum.—During the Lime-time of my late Father, her Appointments were very inconsiderable, but to give entire Satisfaction to my honoured Mother, I have doubled or trebled them, and have never, in any Instance, failed in my Obedience to her. If the Bhegum, in Spite of all this, is discontented, there is no Help for it. The Fact is, that my Mother is a weak Woman, and does not perceive the Event of Things, but gives Way to a Number of different Fancies. Reflect for a Minute, that Women can have no Business with Artillery, and moreover, that I being Heir to the Dominions and Property of my late Father, and having taken on myself to be responsible for his Debts, it is equally inconsistent with Reason and Justice that his Treasure should be appropriated by the Women. The Bhegum has been led into all these Measures by a Desire to give the Treasure of my Father, which amounts to a very large Sum, into the Hands of the Eunuchs, and to dissipate it in whatsoever Manner she pleases, leaving me involved in these Debts, and in the utmost Distress, to compass the Re-establishment of my Affairs. Consider, my Friend, what Business could the Women have with the Muskets, &c. which they removed from the Magazines, but merely that of ruining my Affairs, and of laying me under the greatest Difficulties to discharge the heavy Sums due from me. Reflect, with Deliberation, on these several Points. With respect to the Request made to you by the Bhegum, that you would afford her your Assistance to accomplish her Purpose of going to the Cábáh of God; the Fact is, that, in the first Place, she is not in Distress or in Want of any Thing, by reason of which she should resolve on going to the holy Cábáh; and, in the second Place, were it out of Motives of Religion, it is necessary, before every other Consideration, to preserve one's Character unblemished, that no One may have Room to cast Reflections thereon, at the same Time that Attention is paid to the Duties of Religion. Consider how inconsistent it would be with all Propriety, that the Relict of a Man of such exalted Rank should go in this Manner into a foreign Country: Moreover it is an established Custom that Women should not be at their own Disposal, but under the Direction of the Men, and till the Approbation and Consent of their Master is obtained, to undertake a Pilgrimage to the Cábáh would be without Precedent. I am their Master, and I do not approve of their going to the holy Cábáh. It would be highly disgraceful to me to suffer the Relict of my Father to go from under my Protection. With respect to what the Bhegum writes concerning Mahomed Elich Khân and Mahomed Bushere Khân—it is well known that I made Choice of Mahomed Elich Khân to conduct the Negotiation with His Majesty, and that, on his Arrival at Shahjehanabad, he renounced his Duty to me, and took Measures for the Ruin of my Interest, joining himself with my Enemies; and that notwithstanding I gave him every Encouragement to return to his Duty, and sent him a written Engagement, he would pay no Attention thereto. Mr. Bristow is well acquainted with this Affair. Mahomed Elich Khân is responsible to the Government for large Sums, which may amount to many Lacks, on Account of unadjusted Revenue received by him. In the same Manner when I made a Demand on Mahomed Bushere Khân, who was indebted Lacks of Rupees to me, he also withdrew from his Duty to me, and went and united himself with my Enemies. I was never deficient in conferring Favours and Honors on them, but both these ungrateful Men having embezzled Lacks of Rupees, which were due from them, withdrew from their Duty, and are still intent on Mischief towards me. The true Reason of all that the Bhegum has written you on this Subject, is that she has conceived a Desire to possess herself of the Government, and to have the whole Country and Wealth at her own Disposal to dissipate it; and that being without Controul, she may act on every Occasion as she thinks proper. Sundry villainous Persons have imposed on the Bhegum, and gained an Ascendancy over her Temper, which they employ as suits their own Convenience. Make particular Enquiries into every Circumstance, that you may see whether I have fairly stated them or not. The Bhegum writes that every Thing is done by Murtezza Khan, and that he is the Author of all the Evil: The Truth, my Friend, is that Murtezza Khan never undertakes any Affair without my Knowledge, but transacts all Matters under my Direction, and agreeable to my Pleasure. He never has, nor will he ever act in Opposition to my Will. He is faithfully attached to me, and entertains the sincerest Friendship for the English Company. He is the Cause of the Establishment and Increase of the Friendship between me and the English Chiefs, and his whole Heart and Soul is intent on promoting my Interest and that of the English Company. He has regulated, and does regulate, all my Affairs in a Manner the most satisfactory and agreeable to me. The Whole of what is contained in that Letter relative to Sied Murtezza Khan is entirely false, the Charge against him being without the smallest Foundation. My Mother writes that I was offended at her having entered into a Correspondence with you, and prohibited her from continuing it by desiring to know why she did so: What can I say on this Subject? I leave you to judge whether it is likely I should make such a Speech. But since my Mother positively declares that I did forbid her, it is well;—let her produce any Letter or Writing of mine on this Subject: But if she persists in this false Accusation there is no help for it, as there is no Possibility of stopping People's Tongues. It is well known that my sole Reliance and Strength is in your Friendship, and that I take no Step without your Advice and Concurrence; that it is the first Wish of my Heart that you should be acquainted with every Particular of my Affairs, and that I shew Marks of the highest Favour and Approbation to every Person who is connected in the Ties of Friendship with the English Chiefs, and consider such a Person as a Friend to me.—From all these Circumstances it must appear, beyond a Doubt, that the Accusations laid to my Charge

Charge by my Mother are absolutely groundless. In a Word, I have not been deficient on my Part, and stand acquitted to God and my own Conscience that I have Justice on my Side. What more can I add on this Subject? Mr. Bristow is well acquainted with every Particular. Aware of what has now happened, I took Care that he and the Nabob Khán Khanan Sàlar Jung should be Witnesses to the whole Transaction. As you interest yourself so warmly in my Welfare, and in the Re-establishment of my Affairs, and your Friendship is my Fortress and Support, it is incumbent on you to put them on a prosperous Footing. I therefore hope, from your Friendship, that you will write in express Terms to my Mother to pay me the remaining Eleven Lacks of Rupees, either entirely in Specie, or partly in Specie, and the Remainder in Jewellery, without Plea or Excuse; to restore to me the Elephants, Effects, and Artillery, she took out of the Storehouses and Arsenals; and to send you a Receipt under my Seal for them; and that laying aside her Purpose of going to the Holy Cábáh, she remains with Honour and Reputation in her own House. I am fully convinced that you will never give your Approbation to such a Measure being pursued contrary to my Opinion. In not hearkening to the Representations of the Eunuch Shagoon, you have given me an Instance of Friendship, which highly obliges me. As you are possessed of the most just and liberal Sentiments, and of a Disposition formed for Friendship, you can never give Credit to false and unjust Representations. My sole Hope and Reliance is on your Friendship, and I will strictly adhere to the Engagements which have taken Place between us, to the End of my Life, without deviating therefrom a Hair's Breadth; should it be necessary to sacrifice my Life for the Sake of my Friendship or Engagements, I would do it without murmuring. In like Manner I hope from you, that you will ever preserve your Friendship for and Engagements with me. It is necessary that you write in the most express Terms to my Mother to discharge the remaining Eleven Lacks of Rupees, and to restore the Goods and Effects which she took out of the Government Storehouses, and that you dismiss the Eunuch Shagoon without hearkening to him or giving him Encouragement, and express to the Bhegum your Disapprobation of her Design of going to the holy Cábáh, for if the Bhegum refuses to discharge the remaining Eleven Lacks of Rupees, and to restore the Effects of which she has possessed herself, I shall be under the greatest Difficulty to make good the large Sums due from me. The Revenues of my Country are fallen very short this Year by reason of a Drought; what remains is not sufficient for the Pay of my Army; and my Mother has possessed herself of all the Treasure and Effects in the House; how then am I to support the necessary Expences? You are possessed of Discretion and Equity, and are my true Friend; do you apply such a Remedy as the Circumstances of the Case require; I look to you for Success in my Affairs. My Mother has written you that formerly when there was but One Soubah, the Government was carried on with the Income of that Soubah, and that now there are Three Soubahs, I nevertheless demand Money of her. The true State of the Case is this: The heavy Debts which are due from the Government were contracted in the Life-time of my late Father, besides which Arrears are due to the Troops for the two last Years of the Nabob's Life: These on an Adjustment will amount to many Lacks of Rupees. Since my Accession to the Musnud, I have run into no Expences. If the Income of the Soubah was adequate to the Disbursements, how did it happen that my late Father at the Time of his Decease was greatly indebted to the English Chiefs, and Two Years in Arrears to his Army? Formerly, in my Father's Time, 1,40,000 Cavalry and Infantry were kept on Foot; I have disbanded 40,000, and yet am unable to support the Expences. Were I not to maintain this Number of Troops, how could my Territories be protected against the secret Enemies with which they are surrounded? Consider that when my own Mother, who lives in my House, is intent on Mischief towards me, my other Enemies will undoubtedly derive Confidence and Encouragement therefrom. The maintaining Armies is therefore more necessary than ever, for without Armies a Country, containing an Extent of 300 Coss, cannot be defended or preserved in Tranquillity: Moreover the Revenues have this Year fallen very short by reason of a Drought; and it is well known that many Districts have thrown off their Subjection to my Government, how then am I to support the Charges? Be you, my Friend, the Arbiter, and consider well these Particulars. The true Design of all that my Mother has said, is a Desire to appropriate all the Treasure collected by my late Father for the Discharge of his Debts to her own Use, and not to give a single Daum of it to me. Observe, my Friend, that my Income, as I have mentioned above, is not by any Means adequate to the Expence of my Troops, &c. and that the Treasure left by my late Father has been appropriated by the Begum to her own Use; from what Fund then am I to discharge my Debts?—My Mother, who has written in this Manner to you, being a weak Woman, has asserted, without understanding the Subject, that there was formerly but One Soubah, and that there are now Three, and drawn her Conclusions therefrom; but she is totally unacquainted with the Amount of the Revenues, and of the Disbursements. Formerly, when there was but One Soubah, the Revenues were so inadequate to the immense Expences that my Father, at his Decease, left his Army Two Years in Arrears, and also very heavy Debts to the English Chiefs. At this Time, when there are Three Soubahs, many Districts have thrown off my Authority; yet I have discharged Two Years Arrears to the Army. But since by reason of a Drought, the Revenues having fallen short, I am again involved in the same Difficulty, and am greatly in Debt to them. At all Events, my Friend, fail not to write to my Mother in the most express Terms, to discharge the Remainder of the Money, and to restore

store to me the Goods and Effects she has taken Possession of. Pay no Attention to the Eunuch Shagoon, but give him his Dismission, telling him positively that the Balance must be paid, and the Effects returned. I have the most sanguine Hopes from your Friendship, and am ever steady to my Engagements; but my adhering to the Coulnama concluded with the Bhegum, must depend on her fulfilling the Terms of it by the Discharge of the remaining Eleven Lacks of Rupees. I even consent to receive a Part of it in Goods, but they must be Things of Value, such as will sell. If she offers me Things of no Value, how can I accept them? Such Things as she delivers shall be received at an equitable Price, for which Purpose the Person who appraises them shall be sworn to deal fairly and equitably. Aike Rahum by Name, was appointed by me for this Purpose, but nothing was concluded on: This Man was detained there long on this disagreeable Business, where he died. If Goods are offered me at an equitable Price, I will undoubtedly receive them. I adhere steadily to my Part of the Engagement, but if the Bhegum violates it, I am remediless."

Read, the following Extract from Page 414, of the printed Minutes.

"It is not true that the Begums were left in Charge of the late Nabob's Treasures, or other valuable Effects, for the Purposes set forth in the Charge of maintaining his Offspring and Dependants; the old Begum, the Mother of Shujah ul Dowlah, is entirely out of the Question, having had no Presents entrusted to her Care, but she became possessed of them in her Capacity of Trustee and Treasurer of the Deceased, who, for some Time before his Death, "deposited the "Surplus of his Revenues with the Bow Begum, to provide against an Emergency." Hence the Whole of his Property, of what Sort soever, was in her Custody at the Time of his Death, but still as a Deposit, though from the Hands of his Mother; for they were the Rights of the State which he had in Charge."

Read, a further Extract from Page 816, of the printed Minutes.

"After the Death of my Father, whatever was due from him to the Company, also to the Troops, I took upon myself; but whatever Effects there were remained with my Mother. Some Time since she gave some Part to me, but it went no Way in the Discharge of the Claims of the Company or Troops. For these many Years I have endured much Inconvenience and Trouble for the Discharge of these; yet Half is not made good, and I am in daily Anxiety on this Account, from a Desire to discharge all just Dues to the Company. It is my Intention to proceed to Fyzabad in Ten Days, the Mohrum being over, when I mean to request of my Mother the Whole of my Father's Estate, to enable me to pay off all Debts to the Company. Agreeable to the Laws of God, all my Father's Effects are my Right, that I may make good all Claims on him."

To shew that the late Vizier was in the Habit of mentioning his Family and Effects, and the Measures he had taken for their Security,

Read, from Book 504, already delivered in, the following Extract of a Consultation of the 9th of June 1770, beginning at Page 363 of the same Book.

"Fort William, the 9th June 1770.

"At a Select Committee; Present,
The Honble John Cartier Esquire, President;
Claud Russell, }
and } Esquires.
Charles Floyer, }

"Honble. Sir and Sirs,

"The Nabob has often lamented the Want of a Place of Strength in his Dominions, wherein he might secure his Family and Effects in Case of any Emergency: It was to search for such a Place that he marched to the Northward in March, last Year, and perhaps this Consideration has now again led him to the Northward.

(Signed at the End of the Letter)

Gabriel Harper."

"Fayzabad,
the 14th May 1770.

(And at the End of the Consultation)

"John Cartier,
Claud Russell,
Charles Floyer."

Read,

(1831)

Read, from Book 595, already delivered in, the following Extract of the Proceedings of a Select Committee of the 10th November 1771.

“ Fort William, the 10th November 1771.

“ At a Select Committee, Present,
The Honble. John Cartier Esquire, President;
Samuel Middleton, and } Esquires.
Claud Russell,

“ To the Honble. John Cartier Esquire, President, &c. Gentlemen of the Select Committee.

“ Gentlemen,

“ When at Fayzabad the Nabob Sujah u * Dowlah requested I would address the Committee ^{• See in Orig.} on some very interesting Subjects, of which he is desirous of receiving their Opinion.

“ After representing his destitute Situation for Want of some Place of Strength to contain his Family and Effects, should any Attempts from the Mhorattahs or other Powers be made on his Soubahdarry, or in those Provinces adjoining to his Frontiers, he is come to a Resolution of erecting a Fortification, and is desirous of having it constructed in the European Manner, to accomplish which he has requested I would lay his Intentions before the Committee, and to request that an able Engineer might be sent to him, in order to form a Plan and execute the Work. He wishes also that such might be a Man of Experience, as he means to erect so considerable a Fortification as will contain a City. I have promised to lay his Request before your Board, and indeed I should imagine it would be for the Interests of the Service if we were to give him such Assistance, or otherwise we must be under the Necessity of prohibiting him from building such a Fortification, which I cannot see how in Justice we can insist on; for I have certain Intelligence that he has now several Plans and Projects for erecting such a Fortification, made and drawn out by several Frenchmen in his Service; and that he has actually fixed upon the Situation for such a Plan. It does not appear to me by his being in Possession of a Fortification after the European Construction, he will be in a better Situation of † of Defence against a European Power, than if ^{† See in Orig.} he was in Possession of a strong Fort of the Hindostan Form; for as it is impossible he can be acquainted with the Nature of the Attack and Defence of such Works against a regular Attack, they would become an Incumbrance to him, and we should have every Advantage whilst he would not know what to do with his Works; add to this the Possibility (should we ever have Occasion to carry our Arms against this Prince) of his having such an Opinion of the Strength of this Place as to throw himself, Family, and Riches into it, when I think I should little despair of making a Prize of the Whole. His urgent Desire of my laying this Project before you, and the real Preparations he is making actually to put such into Execution, has hurried me to throw his Intentions before you for your Consideration.

(Signed at the End of the Letter)

“ R^t Barker.

(And at the End of the Committee)

“ John Cartier,
Sam. Middleton,
Claud Russell.”

Read, a further Extract from the Proceedings of the same Committee.

“ Agreed therefore that we answer his Letter in the following Manner.

“ Brigadier General Sir Robert Barker, Commander in Chief under the Presidency.

“ Fort William, Nov. 10th, 1771.

“•Though we could have wished the Vizier had not conceived the Thought of erecting a Fortification in his Dominions, yet as he formed such a Design, we agree with you in Opinion, that we have no Right to obstruct him in what he may consider to tend to the Security of his Country; and this being allowed, we likewise think it better Policy an Engineer of our own should be employed in this Business, than he should receive Assistance from any other Quarter, making no Doubt but some of the Frenchmen in his Service are possessed of Abilities equal to the Undertaking, and though we cannot perceive any immediate Inconvenience likely to result from the Execution of such a Design, we are certain it will be attended with One very principal Advantage, the draining of such considerable Sums of Money from his Treasury, as may make him less capable of engaging in any Scheme of Ambition, and must keep him low in his Finances for some Years to come.”

Read, from Book 596, already delivered in, the following Extract of the Proceedings of a Select Committee of the 10th January 1772, beginning at Page 21 of the same Book.

“ Fort William, the 10th January 1772.

“ At a Select Committee; Present,
The Honble. John Cartier Esquire, President;
Samuel Middleton, and } Esquires.
William Aldersey,

“ To the Honourable John Cartier Esquire, President, and Governor of Fort William, &c. &c. &c.
and to the Gentlemen of the Select Committee.

“ Honble. Sir and Sirs,

“ In my Address of the 10th Ultimo, I had the Honour to acquaint you, that amongst the Frenchmen in the Vizier's Service, there had lately arrived an Engineer, whom I was informed came from Chandernagor. This Man has since been employed to erect at the Nabob's House, the Model of a Fortification, which it seems the Vizier intended to build from, if his Request to you, through General Barker, of an English Engineer, should not be complied with. Lieutenant William Bruce, an Officer of the 19th Battalion, who went with me under Pretence of looking at the Model, took a Sketch of it, from which he has drawn the Plan I have now the Honour to inclose. He observes, that the Model, which is built with Brick and Chenam, is finished in a very masterly Manner.

“ I have the Honour to subscribe myself, with the highest Respect,
Honble. Sir and Sirs,

“ Fayzabad,
5th Dec. 1771.

Your most obedient and most humble Servant,
Gabriel Harper.”

(No Signature at the End of the Proceedings of the Committee.)

Read, also, from the same Book, the following Extract of the Proceedings of a Select Committee of the 29th October 1772, beginning at Page 214 of the same.

“ Fort William, the 29th October 1772.

“ At a Select Committee; Present,
The Honourable Warren Hastings Esquire;
Brigadier General Sir Robert Barker,
William Aldersey Esquire.

“ Honble. Sir and Sirs,

Sic in Orig. “ I am also to acquaint you, that his Excellency having given up all Hopes of being assisted with an English Engineer, to erect a Fortress in his Territories, has actually given Orders for the City of Fayzabad to be fortified with a Rampart and Ditch, and a Number of Redoubts, to be erected under the Direction of a Frenchman, who I believe is pretty well acquainted with this Branch of the *Millitary Art.—I have made use of all the Arguments I am capable of to dissuade him, and to wait some Time longer for your Resolution, in Consequence of his former Request; but he urges the Exigency of the Times, and the Danger of his Family, from any sudden Eruption from a Body of the Enemy, and I fear will proceed with the Work, unless you absolutely prohibit its being carried on by a French Engineer, which if you are pleased to do, his Requests will be very urgent for an English one.

“ Fayzabad,
6th October 1772.

“ I have the Honour to subscribe myself,
With the utmost Respect,
Honble. Sir and Sirs,
Your most obedient and most humble Servant,
“ Gabriel Harper.

(Signed at the End of the Committee)

“ Warren Hastings,
W. Aldersey.”

The Counsel for the Defendant stated, they should next proceed to prove that the Bhow Begum was also entrusted in other Concerns of the Vizier's Government, and particularly that she had the Charge of the Public Seals of the Government; for which Purpose they should read an Examination of Mr. Middleton.

The Managers for the Commons objected.

The Counsel for the Defendant were heard in Answer to the Objection.

The Managers for the Commons waived their Objection.

Whereupon, read, from Book 8, already delivered in, the following Extract of a Consultation of the 3d February 1775, beginning at Page 689 of the same Book.

“ At a Council; Present,
The Honble. Warren Hastings, Governor General, President;
Lieutenant General John Clavering,
The Honble. George Monson,
Richard Barwell, } Esquires.
Philip Francis, }

Secret Dept.
Friday.

“ The Seals were all kept by the Begum during the Time the Vizier administered his own Affairs.” (a)

(Signed at the End of the Consultation)

“ Warren Hastings,
J. Clavering,
Geo. Monson,
Rich^d Barwell,
P. Francis.”

The Counsel for the Defendant informed the House, they should next proceed to prove that, with respect to the Question of Right as between Subjects only, the Nabob was entitled to all the Treasures of his Father, excepting only an Eighth Part of what remained after Payment of Debts; and that such Eighth Part, in the Case of a Subject dying Intestate and leaving Issue, is the Proportion of his Personal Property that belongs to his Widow.

Then the Witnesses produced a Book, intituled, “ The Koran, commonly called “ The Alcoran of Mohammed, translated into English by George Sale, Gentleman.”

Read, the following Extract from Chap. 4 of the same Book, beginning at Page 62 of the same.

“ This is an Ordinance from God, and God is knowing and wise.—Moreover ye may claim Half of what your Wives shall leave, if they have no Issue; but if they have Issue, then ye shall have the Fourth Part of what they shall leave, after the Legacies which they shall bequeath, and the Debts be paid: They also shall have the Fourth Part of what ye shall leave in case ye have no Issue; but if ye have Issue, then they shall have the Eighth Part of what ye shall leave, after the Legacies which ye shall bequeath, and your Debts be paid.”

The Counsel for the Defendant stated, they should next read certain Passages from a Commentary on the Mussulman Laws.

Then the Witnesses produced the Third and Fourth Volumes of a Book, intituled, “ The Hedaya, or Guide; a Commentary of the Mussulman Laws: Translated by Order of the Governor General and Council of Bengal by Charles Hamilton.”

Read, the following Extract from the Third Volume of the same Book, beginning at Page 209 of the same.

“ If the Estate be completely overwhelmed with Debt, neither Composition nor Division of it amongst the Heirs is lawful; because the Heirs are not, in this Case, Masters of the Property, as Inheritance takes Place only with Respect to such Property as is unincumbered with some essential Requisite of the Deceased; and the Payment of the Debts of the Deceased is one of his essential Requisites. If also the Estate be not completely overwhelmed with Debt, it is not even then becoming to enter into any Composition until the Debts be discharged.”

Read, a further Extract from the 4th Volume of the same Book, beginning at Page 468 of the same.

“ A Bequest to any Amount exceeding the Third of the Testator's Property is not valid.”

Read, a further Extract from the same Volume of the same Book, beginning at Page 469 of the same.

“ Whence it is, that if a Person should dispose of a Third of his Property to a Part of the Heirs, it would not be valid.”

(a) Vide Appendix, N^o CCLXX.

Read,

(1834)

Read, also, a further Extract from the same Volume of the same Book, beginning at Page 475 of the same.

" If a Person deeply involved in Debt bequeath any Legacies, such Bequest is unlawful, and of no Effect; because Debts have a Preference to Bequests, as the Discharge of Debts is an absolute Duty, whereas Bequests are gratuitous and voluntary; and that which is most indispensable must be first considered."

Read, from Book 12, already delivered in, the following Extract of a Consultation of the 25th of Sept. 1775, beginning at Page 413 of the same Book.

" Fort William, the 25th of Sept. 1775.

Secret Dept.
Monday.

" At a Council; Present,
The Honble. Warren Hastings Esquire, Governor General, President;
Lieutenant General John Clavering,
The Honble George Monson,
Richard Barwell, Esquire.
Mr. Francis indisposed.

" Honble. Sir and Sirs,

" The original Cause of it is, that his Excellency wanted to receive a considerable Part of the late Vizier's Treasure, it being the Mussulman Law that One * eight of the Estate of a deceased Person should descend to the Widow, and Seven † eights to the Sons and Daughters. Now the Begum has withheld the Whole; of the Injustice of which the Nabob complains, as he is in the greatest Distress, and there is an immense Sum ‡ laying uselessly in her Hands. (a)

(Signed at the End of the Letter)

" Lucknow, the 9th Sept. 1775.

" John Bristow,
Resident at the Court of Owde.

(Signed at the End of the Consultation)

" Warren Hastings,
J. Clavering,
Geo. Monson,
R. Barwell,
P. Francis."

Read, from Book 597, already delivered in, the following Extract of a Consultation of the 9th August 1779, beginning at Page 275 of the same Book.

" Military Department, Fort William, 9th August 1779.

" Proceedings of the Governor General and Council.

" At a Consultation; Present,
The Honble. Warren Hastings Esquire, Governor General;
Richard Barwell, }
Philip Francis, } Esquires.
Edward Wheler, }
Not Present, Sir Eyre Coote.

Mr. Francis.

" If it is proposed to reverse this Resolution, I shall agree to it; but I am of Opinion that the Amount of the Donation is not properly demandable from the Nabob, at least not in the first Instance. I think it should be demanded from the Begum, who got Possession of all the late Vizir's personal Property, and particularly I believe of the Wealth and Effects taken in the Rohilla Country: This was always my Opinion, and I believe I have by me a Minute to the same Effect, which I intended to have recorded on the 27th October, if the Question for making the Demand had been then carried. If I can find it, I shall beg it may be entered in this Place.

Minute referred to in the above, delivered to the Secretary by Mr. Francis.

Mr. Francis, Minute by, intended to have been recorded 27th October, 1777.

" The Donation was promised to the Army as a Compensation for their Share of the Plunder of certain Places in the Rohilla Country, which they were intitled to by the Laws and Practice of War.—Suja Dowla had the sole Benefit of this Compromise, as he appropriated and carried away with him the entire Spoils of the conquered Chiefs. If any Booty was acquired it was by his own Troops.—It is also well known, that the Wealth of which he possessed himself by these Means, or the most considerable Part of it, was conveyed to Fyzabad, and deposited in the Palace now occupied by the Begum. This, in my Opinion, is the Fund which should be answerable, in the first Instance, for the Donation to the Army, as their Acceptance of the Nabob's Promise, in Effect, preserved the Whole from Plunder. No Will or Bequest of Suja Dowla can give the Begum a Right to the Succession to his Personal Property, without

(a) Vide Appendix, N° CCLXXI.

• binding

• binding her at the same Time to the Acquittance of his Debts.—I think therefore, that our Resident should be instructed to state the Case to the Begum, and demand the Amount of the Donation from her to be kept in Deposit by us, and disposed of hereafter, according to the Instructions we may receive from the Court of Directors.” (a)

(No Signature at the End of the Consultation.)

The Counsel for the Defendant informed the House, they wished next to produce a Passage from an Appendix to the printed Report from the Committee of the House of Commons, on the Patna Cause, which Appendix contained Questions and Answers on the Mahommedan Law, if the Managers for the Commons had no Objection.

The Managers for the Commons said, they consented: Whereupon the same was read, as follows.

“ Q. Should Zeid give Two of his Houses to his Wife, and One to be employed in containing the Property of the Donor, is this Gift valid according to Law, or not ?

“ A. It is not valid. Futtawee Allumgeeree: If the Donor said to another Person, I have given you these Two Houses, and One of them is employed by the Donor, the Gift of both is invalid.

“ Q. Should Zeid give a House, in which he has Property, to his Wife, and both live in the House at the Time of the Gift, and afterwards, is this Gift according to Law, or not ?

“ A. It is not valid. In the Futtawee Alumgeeree, the following Passage is transcribed from the Numbucka, where it was inserted from Abboo Yloof, viz. It is not allowable for a Man to give to his Wife, or a Woman to her Husband, or to give to a Stranger a House in which they both live. The same is written in Zakura.

“ Q. Is the Gift of an Article which does not appear at the Time of giving, valid, or not ?

“ A. It is not valid. Futtawee Alumgeeree: It is not allowable to give any Thing which does not appear at the Time of giving.”

To shew, that very soon after the Death of Sujah Dowlah, the Begum took Measures to conceal the Treasure in her Possession, belonging to her late Husband,

Read, from Book 600 already delivered in, the following Extract of a Letter from the Begum to the Governor General.

“ From the Daughter of Ishauk Khan, the Mother of Asoph ul Dowlah. Rec^d. 22 March 1775.

“ As there are many People who, out of Friendship towards me, will endeavour to prevent my Journey, and others, on this Consideration, that all the Sums which are paid by the deceased Nabob to the English were furnished by me, and supposing that I have still large Sums of Money in my Possession, will spare no Pains to prevent my accomplishing my Wishes.

“ You are well acquainted with the State of my Affairs, that after the Affair of Buxar whatever Sums of Money and Jewels I possessed were expended in the Payment of the Sums stipulated to the English Chiefs, and the Revenues of the Soubah, and the Disbursements of the Government are so well known to you, as to make my dwelling on the Subject unnecessary; nevertheless when I arrive there (at Calcutta), I will explain to you fully all the Circumstances.

“ Knowing that I should on this Account receive great Opposition from such People, I have made the first Application to you, and request that you will not pay any Attention to those who are desirous of opposing my Design, and that you will shew such true Friendship to me as to enable me to accomplish my Wish: As the deceased Nabob left me, on his Death-bed, to your Care, and I have made this Request to you, till I receive a Letter from you, calling on God to witness that you will cause me to be conducted to the Place where I wish to go with the Corpse of the deceased Nabob, I cannot take Comfort or be satisfied. I request you will preserve what I have written you an inviolable Secret, and that you will send your Answer to this directly to me, and not suffer it to fall into the Hands of any other. It is necessary that you are cautious in this Respect. Whilst I remain at Fyzabad, I request you will write to all the Sirdars here in the strongest Terms not to give me any Uneasiness or Trouble, and that they offer me their Aid and Assistance on all Occasions, and comply with my Advice in the Transaction of all Affairs.” (b)

The Counsel for the Defendant stated, he should next proceed to shew that the Begum, the Wife of Surajah Dowlah, referred to by Mr. Goring in his Evidence, as possessed of great Riches from her late Husband, had other Sources of Wealth in a

(a) Vide supra Appendix, N^o CCLXXII.

(b) Vide Appendix, N^o CCLXXIII.

(1836).

Jaghire settled upon her by Aliverdy Cawn, the Predecessor and Grandfather of Surajah Dowlah, and as being the Daughter and Heiress of Eritch Cawn, a Man of very considerable Wealth.

Read, from Book 257, already delivered in, the following Extract of a Consultation of the 7th July 1780, beginning at Page 671, of the same Book.

“ Fort William, the 7th July 1780.

Rev. Dept.
Friday.

“ At a Council ; Present,
The Honble. Warren Hastings Esquire, Governor General, President ;
and
Edward Wheler Esquire.
Mr. Francis indisposed.

“ Honble. Sir and Sirs,
“ We think necessary for your further Information to add, that Ondut ul Nissa, eldest Daughter of the Deceased, has no Children, and is possessed of considerable Riches, chiefly consisting of all her Father's inheritable Property, which she has taken Possession of by virtue of a Hibbah or Deed of Gift. (a)

(Signed at the End of the Letter)

“ Patna,
the 15th May 1780.

“ Wm. Maxwell, &c. Council.

(And at the End of the Consultation)

“ Warren Hastings,
Edw. Wheler.”

Read, a further Extract from the same Consultation, beginning at Page 673 of the same Book.

Accompany-
ing Patna
Letter.

“ Report of the Amanut Officers upon the Family of Nabob Mahamed Erick Khan, deceased, dated 13th May 1780.

“ We have received the Council's Perwannah, dated the 3d February 1780, directing us to take a particular Account of the Family and Dependants of the late Nabob Erich Khan, a Jagheerदार in this Province, and lay the same before you : The following is the Account which we have taken in consequence. The aforesaid Nabob has Two Daughters, One of them the Widow of Nawob Surage ud Dawla, called Ondut ul Nissa, the other called Imaey Khannum, the Widow of Abboo Mahamed Khan, who has Three Sons and Seven Daughters, making together Ten Children. The Nawob had also another Daughter who died before him, leaving a Son behind her, called Ahmud Hussein Khan ; besides these the Women of his Haram, his Relations, Dependants, and their Servants are very numerous, owing to his having been a Man of great Rank and Consequence, and the Father in Law of Nawob Seraje us Dowlah, the Nazim of Bengal.

“ It also appears that Ondut ul Nissa, who was the eldest Daughter of the deceased Nawob, and the Wife of Nawob Serraje ud Dowla, now lives at Moarshedabad, and with the Consent of Asud Ally Khan, the Nawob's Executor, receives, and has Charge of the whole Produce of the Deceased's Real and Personal Estate, which she appropriates as she thinks proper.”

(At the End of the Report.)

(Signed) by “ Wahed Ally Beg.

A true Copy.

(Signed) “ Matt. Leslie, Secr.” (b)

Read, from Book 591, already delivered in, the following Extract of a Consultation of the 7th May 1782, beginning at Page 273 of the same Book.

“ Fort William, the 7th May 1782.

Rev. Dept.
Tuesday.

“ At a Council ; Present,
The Honble. Warren Hastings Esquire, Governor General, President ;
Edward Wheler
and
John Macpherson, } Esquires.

“ Read and approved the Proceedings of the 30th Ultimo.

“ Read also, the following Report from the Preparer of Reports.

Preparer's
Report rela-
tive to a Jag-
hire in Jessore.

“ The Preparer of Reports to the Revenue Department, submits to the Honble. Board his Enquiry into such Parts of the Petition of Omdut-ul-Nissa Begum, referred to him on the 19th of July last, as yet remain for their Decision.

(a) Vide Appendix, N° CCLXXIII.

(b) Vide Appendix, N° CCLXXIV.

" The Petitioner is the Daughter of Mahomed Erich Khan deceased, on whose Death the Board, on the 1st of August 1780, resolved to continue the Jagheers possessed by him, to his Two Daughters, viz. Omdut ul Nissa the present Petitioner, and Amary Khanum her Sister; and they have accordingly obtained a joint Sunnud for such Parts of these Jagheers, as were situated in the Province of Behar; but there being another in the District of Jessore, which Omdut ul Nissa lays Claim to as hers alone, and that her Sister Amary Alias Amnah has no Right therein, the Honble. Board have directed her Pretensions to this alledged exclusive Right, to be enquired into; which having been done accordingly, the following are the Particulars thereof.

" Omdut ul Nissa, who is the Widow of the late Nabob Serajed Dowla, founds her Claim to the exclusive Possessions of the Jagheer in Jessore, on its having been originally granted by the late Nabob Allaverdy Khan, in the Name of her Father Mahomed Erich Khan, solely for her Use and Benefit, as the Wife of Serajed Dowla, who was then Heir-apparent, and did afterwards succeed to Allahuerdy Khan in the Soubahdarry; in Proof of which she exhibits the Original of an Akramamah or Deed, under the Seal of Mahomed Erich Khan, her late Father, bearing Date the 1st of Mohurram, in the 3d Year of the Reign of Ahmedshah, or about the Year 1750 of the Christian Era, setting forth, that the Mushroot, or conditional Jagheer of the Foujdarry of the Chucklah of Jessore had been settled on Omdut ul Nissa Begum, to defray the Expence of her Beetle; but that the Sunnud thereof, standing in the Name of Mahomed Erich Khan, and the Business thereof being carried on and executed by Persons appointed on his Part, he therefore gives this Writing to declare that both the said Jagheer, and the Produce thereof, belonged entirely to the said Begum, and that no Part thereof appertained to him or his Family; and in Confirmation of this Akramamah, the Petitioner has exhibited the Original of a Perwanah, under the Seal of the late Nabob Allaverdy Khan, bearing Date the 22d of Mohurram, in the same Year as the preceding Deed, and appears from its Contents to be in Answer to a Letter which Mahomed Erich Khan must have addressed to that Nabob, advising of his having executed the Akramamah above mentioned; at which the Nabob declares his Satisfaction, and observes, that although such a Voucher was not requisite between him and his Daughter, yet in respect to future Events it was an highly approveable Precaution.

(At the End of the Report)

" Khalsa,
the 6th May, 1782.

(Signed)

" Jnⁿ Duncan,
Pr R^r R. D^r. (a)

(Signed at the End of the Consultation)

" Warren Hastings,
Edw. Wheeler,
John Macpherson."

Read, the following Extract from the Appendix to a Secret Consultation of the 11th June 1787, from an unbound Book without a Title, delivered in by the Witness.

" Fort William, 11th June 1787.

" At a Council; Present,
The Right Honourable Charles Earl Cornwallis, K. B. Governor General, President;
and

The Honble. Charles Stuart.
Sir John Macpherson Baronet, absent from the Presidency.
John Shore Esquire, indisposed.

" Appendix to Consultation, 11th June 1787.
Nizamut Establishment.
Begums, &c. Pensioners.

" Bahoo Bagum Serajah ul Dowlah's Widow,	—	—	—	Rupees.
				450." (b)

To prove that the Nabob was in a State of great pecuniary Distress at the Time of his Accession to the Mutinud, both on Account of his Debt to the Company, and of the Arrears due to the Troops,

(a) Vide Appendix, N^o CCLXXV.

(b) Vide supra Appendix, N^o CXXV, Page 566, and 582.

Read,

(1838)

Read, from Book 8, already delivered in, the following Extract of a Consultation of the 6th February 1775, beginning at Page 734 of the same Book.

“ Fort William, the 6th February 1775. ”

Secret Dept.
Monday.

“ At a Council ; Present
The Honble. Warren Hastings, Governor General, President ;
Lieutenant General John Clavering,
The Honble. George Monson,
Richard Barwell, } Esquires.
Philip Francis, }

“ Read and approved, the Consultation of the 3d instant.

“ The Secretary acquaints the Board that he applied to Mr. Nathaniel Middleton for a Copy of the Vizir's Account Current, which he delivered to Colonel Gailliez, in order to furnish Mr. Bristow with a Copy of it, and that he received it from Mr. Middleton with the following Letter.

To John Stewart Esquire, Secretary, &c.

“ Sir,

“ The first Statement of Accounts between the Vizier and the Honourable Company, with which I furnished Colonel Gailliez, was transmitted from Lucknow immediately upon the Receipt of my Orders of Recall. At that Period the first Dividend of his Excellency's Debt to the Honourable Company on Account of the Rohilla War, though promised was not actually in my Possession, and I therefore gave no Credit for it in the Statement to Colonel Gailliez. I however intimated to him in my publick Address, the Substance of what had passed between the Vizir and myself respecting this Payment, and on my Departure from Fyzabad, I withdrew the former Statement, and including the Sum I brought down with me, gave the Colonel the Account of which I now send you an exact Copy. I thought it necessary to trouble you with the above Remarks, that you may be enabled to explain to the Honourable the Governor General and Council the Cause of this Account's appearing under different Dates.

“ I am, &c.

(Signed)

“ Nathaniel Middleton.”

“ Calcutta,
the 7th February 1775.

“ Ordered, That the Account be entered after the Consultation.

" D'

His Excellency the Nabob Shujah ul Dowlah in Account with the Honble. Company.

To Balance of the accompanying Account, marked N^o 4 —
To the Second Dividend of his Excellency's Debt to the Honble.
Company, on Account the Cession of Korah and Illahabad
Provinces, which became due the 7th February last —
To the 3d and last D^o, which becomes due the 7th September
next —
To the Amount of his Excellency's Stipulation with the
Honble. Company, for the Assistance of their Troops in the
Reduction of the Rohilla Country —

By Cash received at Fyzabad by the Hands of Mr. Thomas
Grady, being in Part Payment of the Second Dividend of
his Excellency's Debt on Account the Cession of Korah and
Illahabad —
By a Tuncaw or Assignment upon the Revenues of Benares,
given by the Nabob on Rajah Cheyt Sing in Favour of the
Honble. Company —

By Balance due from his Excellency the Vizier on these Heads,
exclusive of what he may be indebted to the Company on
Account the monthly Subsidy to the Troops —

Rupees — 1,26,971 2 3

Rupees — 10,00,000 0 0

Lucknow, the 19th November 1774.
Errors excepted."

" D'

His Excellency the Nabob Shujah ul Dowlah in Account with the Honble. Company.

To Balance brought over —

By Cash received at Fyzabad, being the First Payment of his
Excellency's Debt to the Honble. Company for the As-
sistance of their Troops in the Reduction of the Rohilla
Country —

By Balance, exclusive of what he may be indebted to the
Company on Account the monthly Subsidy to the Troops —

Rupees — 56,26,971 2 3

Rupees — 15,00,000 0 0

Fyzabad, the 31st December 1774.
Errors excepted.

(Signed) Nathaniel Middleton."

To shew that the Number of Troops in the Pay of Sujah Dowlah, amounted to 100,000 Men,

Read, from the same Book, the following Extract of a Consultation of the 3d of February 1775, beginning at Page 692 of the same.

“ Fort William, the 3d February 1775.

See 1st Dept.
Endy.

“ At a Council; Present,
The Honble. Warren Hastings, Governor General, President;
Lieut. General John Clavering,
The Honble. George Monson,
Richard Barwell, } Esquires.
Philip Francis, }

“ Mr. Middleton attending agreeable to the Summons, is called in, and the following Questions are put to him.

“ Q. By the General. What Force do you think Sujah Dowlah may have in his Service?

“ A. About 100,000 Men; he has lately dismissed a Part of his Troops.” (a)

(Signed at the End of the Consultation)

“ Warren Hastings,
J. Clavering,
Geo. Monson,
Rich^d Barwell,
P. Francis.”

To prove that Sujah Dowlah died very much in Debt to the Company, and that his Son the Nabob Asoph ul Dowlah was charged with, and actually paid the Debts of his Father,

Read, a further Extract from the same Consultation, beginning at Page 685 of the same Book.

“ Mr. Barwell.—I am of Opinion that the Words of the Treaty of Illahabad, ‘ a perpetual and universal Peace, sincere Friendship, and firm Union, shall be established between his Highness Suja ul Dowla, and his Heirs, on the one Part, and his Excellency Nudjum ul Dowla, and the English East India Company, on the other,’ are a specific Obligation.” (b)

Read, also, a further Extract from the same Consultation, beginning at Page 686 of the same Book.

“ Supposing the Right to be established in Mirza Amanney, according to the Terms of the Question, which, for the present, I neither affirm nor deny; I then think that there will be an Obligation upon this Government to acknowledge him as the Representative of Suja Dowla, in the Terms, and to the Extent prescribed by the Treaty of Illahabad.” (c)

Read, also, a further Extract from the same Consultation, beginning at Page 687 of the same Book.

“ General Clavering.—I am of Opinion that, in the Terms of the Treaty of Illahabad, we ought to acknowledge Mirza Amanney for the Successor of the Vizir.” (d)

Read, also, a further Extract from the same Consultation, beginning at Page 700 of the same Book.

“ To Colonel Primrose Galliez.

“ Sir,

“ Conceiving ourselves bound by Treaty to maintain a perpetual and universal Peace, sincere Friendship, and firm Union, between the Company and the Nabob Sujah Dowlah and his Heirs, we direct and command, that in the Case of his Death, you support the Pretensions of Mirza Amanee, his eldest and only legitimate Son, to the Succession to all his Father's Possessions, and conduct yourself towards him in all Respects as you would have done to the Nabob Sujah Dowlah himself were he alive.

“ We are, &c.” (e)

“ Fort William,
the 3d Feby 1775.

(a) Vide Appendix, N^o CCLXXVII.

(b) Vide Appendix, N^o ibid.

(c) Vide Appendix, N^o ibid.

(d) Vide Appendix, N^o ibid.

(e) Vide Appendix, N^o ibid.

(1841)

Read, also, a further Extract from the same Consultation, beginning at Page 702 of the same Book.

“ Fort William, the 3d Feby 1775.

“ At a Council ; Present,
The Honble. Warren Hastings, Governor General, President ;
Lieut. General John Clavering,
The Honble. George Monson,
Richard Barwell, } Esqrs.
Philip Francis, }

Secret Dept.
Friday.

“ Sir,

“ You are besides to give him the fullest Assurances of the amicable Intentions of this Government, and that we mean to adhere stedfastly to the Treaties of Illahabad and Benares, till the Pleasure of the Court of Directors be known with regard to the latter.

“ Fort William,
the 3d Feby. 1775.

“ We are, &c.” (a)

Read, from the same Book, the following Extract of a Consultation of the 13th February 1775, beginning at Page 804.

“ Fort William, 13th February 1775.

“ At a Council ; Present,
The Honble. Warren Hastings, Governor General, President ;
Lieutenant General John Clavering,
The Honble. George Monson,
Richard Barwell, } Esquires.
Philip Francis, }

Secret Dept.
Monday.

“ Read and approved the Consultation of the 10th instant.

“ General Clavering.—As the Basis of all my Reasoning, the following Premises must be granted to me : First, That the Nabob Mirza Ammanee possesses such Disqualifications of Character, that he cannot maintain himself on his Musnud without our Assistance.

“ 2dly. That there is a political Necessity in this Government not to allow any other Prince to occupy the Subahship of Oude, and the Countries of Corah and Illahabad, without our Concurrence.

“ It is well known that there will be as many Competitors for the Countries left by the late Vizir, as there are Powers in that Part of Indostan. The King, the Mahrattas, the Jauts, the Rohillas, Nudjuf Cawn, and even some of the Nabob's own Family and Commanders of his Armies, will probably all, or most of them, strive to obtain some Share of his Dominions. (b)

(Signed at the End of the Consultation)

“ Warren Hastings,
J. Clavering,
Geo. Monson,
Rich^d Barwell,
P. Francis.”

Read, a further Extract from the same Consultation, beginning at Page 795 of the same Book.

“ The Governor General conceives it to be necessary, before the Board proceed any further on the Business now before them, that one Principle, upon which every other Resolution must depend, should be determined, and therefore desires that the following Question be put.

“ Whether this Board considers the Treaties which were made with the late Nabob Sujah Dowlah, as remaining in Force, or as having expired at his Death ?” (c)

(a) Vide Appendix, N^o CCLXXVII.

(b) Vide Appendix, N^o CCLXXVIII.

(c) Vide Appendix, N^o ibid.

Read,

(1842)

Read, from Book 589, already delivered in, the following Extract of a Consultation of the 24th of February 1775, beginning at Page 1080 of the same Book.

“ Fort William, the 24th February 1775.

“ At a Council; Present,
The Honble. Warren Hastings, Governor General, President;
Lieut. General John Clavering,
The Honble. George Monson,
Richard Barwell,
Philip Francis, } Esquires.

“ Honble. Sir and Sirs,

“ I am confident, from the Nabob's anxious Desire of obtaining your Favour, that he would have paid the whole Amount of the immediate Demands of the Company on the late Vizier, but for the Necessity he has been under of satisfying his Troops, who were beginning to discover a mutinous Spirit in their Demands of the large Arrears due to them by his Father.

“ Fyzabad,
12th February 1775.

(At the End)

(Signed)

“ P. Galliez. (a)

(Signed at the End of the Consultation)

“ Warren Hastings,
J. Clavering,
Geo. Monson,
Rich^d Barwell,
P. Francis.”

Read, a further Extract from the same Consultation, beginning at Page 1031 of the same Book.

“ Received the following Letter from Colonel Galliez to the Governor General and Council at Fort William.

“ Honble. Sir and Sirs,

“ The Nabob has, agreeably to his Promise, completed the Ten Lacks, which I shall dispatch in Two Days hence, under the Charge of Lieut. Edmund Lambert with a proper Escort.

(At the End)

(Signed)

“ P. Galliez.” (b)

“ Fyzabad,
Feb. 14, 1775.

Read, from Book 8, already delivered in, the following Extract of a Consultation of the 13th February 1775, beginning at Page 793 of the same Book.

“ Fort William, the 13th February, 1775.

“ At a Council; Present,
The Honble. Warren Hastings, Governor General, President;
Lieutenant General John Clavering,
The Honble. George Monson,
Richard Barwell, } Esqrs.
Philip Francis, }

“ Read and approved the Consultation of the 10th instant.

“ The Board proceed to consider the Subject of the further Instructions, which it may be necessary to give to the Resident at the Court of Asoph ul Dowla Nabob of Owde.

“ Resolved, That the first Point to be insisted on is the Payment of the Sums actually due to the Company from the late Vizier.

“ These Sums are due on the following Accounts:

“ For the Stipulations of the late Rohilla War (supposing the Five Lacs which Colonel Galliez informs the Board were in Course of Payment to have been actually discharged) - 20 Lacks.

“ The Difference of Batta on the Payments already made on this Account, and on the Twenty-one Lacks received by Mr. Lambert at Fyzabad, 1773.

“ Ordered, That the proper Officers be called on for a State of this Account.

“ The Balance of the old Accounts, which were delivered to Mr. Middleton by the President of the late Administration to be adjusted with the Vizer.

“ The Balance of the Subsidy which may remain due on the Arrival of the Resident with the Nabob.

(a) Vide Appendix, N° CCLXXIX.

(b) Vide Appendix, ibid.

“ Agreed,

Secret D. pt.
Monday.

Instructions
for the Resi-
dent at the
Court of
Oude.

" Agreed, That Mr. Bristow be accordingly directed to demand immediate Payment of all these Sums, and to liquidate the Accounts, that nothing of this Sort may remain to be the Cause of any future Dispute with the new Nabob.

" Resolved, That the second Point is to obtain from the Nabob an Acknowledgment for the Remainder of the Money due by the Treaty of Benares for Corah and Illahabad, to be paid when it becomes due, and his Acknowledgment for the Demand of the Monthly Subsidy of 2,10,000 R^s for the Brigade up to the Date of the Death of the last Vizir.

" Agreed, That the foregoing Points shall form a Part of the additional Instructions to Mr. Bristow. (a)

(Signed at the End of the Consultation)

" Warren Hastings,
J. Clavering,
Geo. Monson,
R. Barwell,
P. Francis."

Read, from Book 589, already delivered in, the following Extract of a Consultation of the 24th February 1775, beginning at Page 1077 of the same Book.

" Fort William, the 24th February 1775.

" At a Council; Present,
The Honble. Warren Hastings, Governor General, President;
Lieutenant General John Clavering,
The Honble. George Monson,
Richard Barwell, } Esquires.
Philip Francis, }

Secret Dept.
Monday.

" Read and approved the Proceedings of the 14th instant.

" Received the following Letter from Colonel Galliez to the Governor General and Council at Fort William.

" Honble. Sir, and Sirs,

" Since my last Address nothing of Consequence sufficient to communicate has occurred.

" I am now to acquaint you, that I Yesterday obtained from the Nabob a Promise of the full Payment, in Two Months from this Date, of the Demands of the Company on the late Vizier, for the Assistance given him in the Reduction of the Rohilla Country:—But on his advising me this Morning of his Intentions of making a Circuit through his Dominions immediately, on which Occasion he has requested my Attendance with him, I strenuously urged that the Payment should be made before he left this Place. After much Argument, in which he protested his Inability of commanding the whole Amount in that Time, he assured me of immediately receiving One Half here, a Part at Lucknow, and the Remainder at his Arrival on the Banks of the Ganges; to which Places he purposes to proceed directly.

(At the End)

" Fayzabad,
the 6th February 1775.

(Signed)

" P. Galliez." (b)

(Signed at the End of the Consultation)

" Warren Hastings,
J. Clavering,
Geo. Monson,
Rich^d Barwell,
P. Francis."

Read, from the same Book, the following Extract of a Consultation of the 8th March 1775, beginning at Page 1144 of the same.

" Fort William, the 8th March 1775.

" At a Council; Present,
The Honble. Warren Hastings, Governor General, President;
Lieut. General John Clavering,
The Honble. George Monson,
Richard Barwell, } Esquires.
Philip Francis, }

Secret Dept.
Wednesday.

" Read and approved the Consultation of the 3d instant.

" The Secretary lays before the Board, the Instructions which he has prepared for the Resident at the Court of the Nabob of Oude, in Consequence of the Board's Orders of the 3d instant.

• (a) Vide Appendix infra, N^o CCLXXV.

(b) Vide Appendix infra, N^o CCLXXXIX.

" These Instructions being read and corrected, are approved as follows, and dispatched to him accordingly

" To Mr. John Bristow, Resident at the Court of the Nabob of Oude.

" Sir,

Instructions to
the Resident at
the Court of
Oude.

" In Expectation of your having joined the Nabob Asoph ul Dowlah before this can reach you, we proceed to give you more particular Instructions relating to the Business immediately committed to your Charge, and for your Guidance in your future Negotiations with that Prince.

" The principal and immediate Object of your Attention is still what was given you in your former Instructions, the receiving or settling the Payment of the different Sums due or engaged to the Company by the late Vizier. A State of these Sums was then furnished you, But you have herewith another, with such Alterations as have happened since. On meeting with Colonel Galhez, you would also be furnished by him with an Account of the Whole, as it stood in his delivering the Charge of that Negotiation over to you.

" Having these Accounts before you, you will be fully enabled to settle entirely this Business with the Nabob, and we direct that you give him to understand in the most amicable and respectful Manner, that before you can listen to any other Proposals from him, it is absolutely necessary that all Claims on him in Virtue of his late Father's Engagements with the Company, be adjusted, and Payment made, or Security given for the Sums which shall appear due. We will only add, that whatever Sum the Nabob's Payments may amount to, you are, on no Account, to give a general Discharge or Receipt in full, without our express Authority, but only a simple Receipt upon Account.

" These Matters being thus settled, you will then be at Liberty to listen to any Overtures for a new Treaty which the Nabob may chuse to make; and in this Case you will take Care to intimate to him, that although the Company regard him as an Ally, and have not scrupled to acknowledge his Right to his Father's Succession, yet that the specific Conditions of the several Treaties made between the Company and his Father being merely temporary and personal, they of Course expired with him.—That therefore, if he (the new Nabob) think it necessary also to require any specific Assistance or Service from this Government, it will be proper that a new Treaty, with new Stipulations, be entered into between us." (a)

(Signed at the End of the Consultation)

" Warren Hastings,
J. Clavering,
Geo. Monson,
Rich^d Barwell,
P. Francis."

Read, a further Extract from the same Consultation and same Instructions, beginning at Page 1150 of the same Book.

" If when the Nabob shall be thoroughly possessed of our Ideas and Expectations with Respect to the Terms of the proposed Treaty, he should give a direct and positive Refusal to treat on such Terms, you are then to suspend all further Negotiations with him, and report to us the precise Terms of his Refusal, informing him at the same Time that it is our Determination to withdraw our Troops immediately out of his Country; and that he must expect such Orders from us in Reply to your Report. We expect that you will obtain a precise Satisfaction from him on this Point as soon as it is possible; and that you do not suffer yourself to be amused by a Negotiation of which the Nabob may avail himself during his present urgent Necessity, and when he has confirmed himself in his Government, under the Countenance and Protection of our Troops, may afterwards break off the Treaty." (b)

Read, from Book 7, already delivered in, the following Extract of a Consultation of the 3d of April 1775, beginning at Page 1647 of the same Book.

" Fort William, the 3d April 1775.

Secret Dep.
Monday.

" At a Council; Present,
The Honble. Warren Hastings, Governor General, President;
Lieutenant General John Clavering,
The Honble. George Monson,
Richard Barwell, } Esquires.
Philip Francis, }

" Read and approved the Consultation of the 30th ultimo.

(a) Vide Appendix, N^o CCLXXX.

(b) Vide Appendix, ibid.

" Received

“ Received the following Letter from Mr. Bristow, Resident at the Court of Oude.

“ Mindy Gaut, the 20th March 1775.

“ Mr. Bristow to the Honble. Warren Hastings Esquire, Governor General, and the Members of the Honble. Supreme Council.

“ Honble. Sir, and Sirs,

• “ My next Representation related to the Payment of the Remainder of the Money due to the Company on Account * the Rohilla War. His Excellency said that he would soon discharge * Sic in Orig. it, and as the present is the Season for the greatest Collections, I have not the least Doubt of being shortly able to send the Honble. Board a satisfactory Account of this Negotiation. (a)

(Signed at the End of the Letter)

“ John Bristow,
Resident at the Court of the Nabob of Owde.”

(And at the End of the Consultation)

“ Warren Hastings,
J. Clavering,
Geo. Monlon,
P. Francis,
Rich^d Barwell.”

Read, also, a further Extract from the same Consultation, beginning at Page 1653 of the same Book.

“ Resolved, That the following Reply be sent to Mr. Bristow.

“ To Mr. John Bristow, Resident at the Court of Afoph ul Dowla.

“ Sir,

“ We perceive that in your Letter now before us you do not make any mention of the State of the Subsidy to the Troops; we therefore direct that you call upon the Commanding Officer and the Paymaster of the Second Brigade, for an Account of the Sums due from the Nabob on this Head, and you will make the Demand of the Balance due from him by that Account, a Part of your First Negotiations with him, insisting upon its being immediately paid up to the End of the Month preceding the Receipts of this Letter, and thenceforward that he regularly continue the monthly Payments of it. (b)

“ Fort William,
the 3d April 1775.

“ We are, &c.

(Signed at the End of the Consultation)

“ Warren Hastings,
J. Clavering,
Geo. Monlon,
R^d Barwell,
P. Francis.”

• Read, from Book 7, already delivered in, the following Extract of a Consultation of the 10th of April 1775, beginning at Page 1691 of the same Book.

“ Fort William, the 10th of April 1775.

“ At a Council; Present,
The Honourable Warren Hastings Esquire, Governor General, President;
Lieutenant General John Clavering,
The Honble. George Monlon,
Richard Barwell, } Esquires.
Philip Francis, }

Secret Dept.
Monday.

“ Received the following Letter from Mr. Bristow, the Resident at the Court of the Nabob Afoph ul Dowla.

“ Mindy Gaut, the 25th March, 1775.

“ To the Honble. Warren Hastings Esquire, Governor General, and the Members of the Honourable Supreme Council.

“ Honble. Sir and Sirs,

“ What I told his Excellency of the Service he had received by the Presence of the English Troops is but a Fact; I might have added that they were his sole Support, for it is the Opinion of the most intelligent Men, that the Country would without them, instead of being in its present peace-

• (a) Vide Appendix, N^o CCLXXXI.

(b) Vide Appendix, ibid.

(1846)

able State, have been involved in intestine Divisions and Civil War. On these Heads I need say nothing more at present, as I propose, in a Day or Two, to trouble the Honble. Board with a particular Account of the publick Occurrences, since the Nabob's Accession. (a)

(Signed at the End of the Letter)

" John Bristow, Resident at the Court of the Nabob of Owd." "

(Signed at the End of the Consultation)

" Warren Hastings,
J. Clavering,
Geo. Monson,
Rich. Barwell,
P. Francis."

Read, also, a further Extract from the same Consultation, beginning at Page 1692 of the same Book.

" Agreed, That the following Directions be drawn up, and transmitted to the Resident with the Nabob.

" To Mr. John Bristow, Resident at the Court of the Nabob of Owde.

" Sir,

" As soon as you may have received Payment from the Nabob of all the Sums which have become due on Account of the Treaty at Benares, (understanding a Balance to be still due for the Difference of Batta, on the Sums paid on this Account, the Particulars of which when adjusted by our Accomptant shall be transmitted you), as well as the Balance due from him, on Account of the Rohilla and all former Accounts; you will immediately declare to him in plain and direct Terms, the Requisitions of this Government for the Conditions of the new Treaty, drawing them up in Writing with great Accuracy and Attention, from the Instructions which you have at different Times been furnished with concerning it. You are peremptorily to demand his Compliance with such Articles as we have resolved not to dispense with, proposing to him the Alternative for the Rest agreeable to our former Directions.

" We direct, that in this Business you avoid as much as possible any Delay or Procrastination, by pressing the Nabob to furnish you with his ultimate Resolutions upon the Propositions you deliver to him; and when the Nabob has delivered them to you, you will communicate them to us in the most speedy Manner, that we may be enabled to bring this Matter to a Conclusion.

" But if the Nabob should refuse to treat on the Conditions which we have directed you to offer to him, or his Conduct in this Affair shall clearly appear to you to be evasive; we direct that you immediately declare to him, that you have our express Orders for withdrawing the Brigade into the Company's Territories, and you will require Colonel Galliez to withdraw the Troops accordingly, we having directed him to comply with your Requisition in this Case.

" It is necessary to observe, that by enjoining you to demand Payment of all the Sums due from the Nabob, we expect that the Payment, if not already made, shall be immediate; but we do not mean to bind you to a clear and complete Liquidation of all Accounts with him, but if the Whole, or nearly the Whole, shall be paid off (that is to say) within Five Lacks, we then empower you to proceed as above directed.

" If you should be reduced to retire from the Nabob's Court, you will take Care to leave an Account, and Demand in Writing, with the Nabob, of the whole Sum which may then remain due from him to the Company on all or any of the above Accounts." (b)

Read, from Book 7, already delivered in, the following Extract of a Consultation of the 17th of April 1775, beginning at Page 1721 of the same Book.

" Fort William, the 17th April 1775.

" At a Council; Present,

The Honble Warren Hastings, Governor General, President;

Lieut. General John Clavering,

The Honble. George Monson,

Richard Barwell, } Esqrs.

Philip Francis, }

" Received the following Letter from the Resident at the Court of the Nabob of Asoph ul Dowla.

" Honble Sir and Sirs,

" Agreeable to the Commands of the Honble Board I have, on this Occasion, intimated to the Nabob in the most respectful Manner, that my forwarding the said Drafts was only in Obe-

(a) Vide Appendix, N° CCLXXXII.

(b) Vide Appendix, ibid.

(1847)

dience to his Request, and not to be understood as a Compliance with the Contents of them; on the contrary I thought the Honble. Board would certainly give a Refusal until such Time as all Claims on him, in virtue of his late Father's Engagements with the Company, should be adjusted and Payment made; in Fact, that this Adjustment ought to take place before I could listen to any Proposals on his Part." (a)

(Signed at the End of the Letter)

" Mindy Gaut,
28th March 1775.

" John Bristow, Resident at the Court of the Nabob of Owd.

(Signed at the End of the Consultation)

" Warren Hastings,
J. Clavering,
Geo. Monson,
Rich. Barwell,
P. Francis."

Read, also, a further Extract from the same Consultation, beginning at Page 1723 of the same Book.

" Agreed, that the following Instructions be transmitted to the Resident.

" To Mr. John Bristow.

" Sir,

" We have before advised you to use Dispatch in your Negotiations with the Nabob, and to endeavour to bring them to a Conclusion as speedily as possible; but as the Season is now far advanced, we think it necessary to repeat our Injunctions in this Respect, that we may be enabled, before the setting in of the Rains, to come to some Determination, either for cantoning the Troops in the Provinces of Owd, or for recalling them into the Company's Territories.

" We direct, therefore, that you be peremptory and decisive in the Terms of your Applications to the Nabob, on the Subject of the new Treaty." (b)

Read, also, a further Extract from the same Letter and the same Consultation, beginning at Page 1724 of the same Book.

" As there is no Time to be lost, we must repeat our Orders, that if the Nabob will not agree to the Terms which we have required of him, you must notify his Refusal to Colonel Gailiez, in the Manner directed by our last Letter; but if the Nabob should comply with our Requisitions, and nothing is wanting to the Conclusion of the Treaty, but the formal drawing it up, and the Ratification of it by this Government, and that the Nabob should desire the Continuance of the Troops for the Protection of his ancient Dominions, with Corah and Illahabad, agreeable to our former Advices, you will then apply to him to provide Quarters for them during the Rains; but you are, on no Consideration, to make this Application, while the Issue of the Treaty remains doubtful. (c)

(Signed at the End of the Consultation)

" Warren Hastings,
J. Clavering,
Geo. Monson,
Rich^d Barwell,
P. Francis."

Read, from Book 7, already delivered in, the following Extract of a Consultation of the 11th of May 1775, beginning at Page 2200 of the same Book.

" Fort William, 11th May 1775.

" At a Council; Present,
The Honble. Warren Hastings, Governor General, President;
Lieutenant General John Clavering,
The Honble. George Monson,
Richard Barwell, } Esquires.
Philip Francis, }

Secret Dept.
Thursday.

" Received the following Letter from Mr. Bristow, Resident with the Nabob of Owde, to the Governor General and Council at Fort William, dated Rajegyr Gaut, opposite to Konnoje, the 25th April 1775.

" Honble. Sir and Sirs,

" Murtehzeah Cawn arrived Two Days ago, and informs me he has brought more than Money sufficient to liquidate the Demands of the Company, both for the Subsidy, and the Stipulation

(a) Vide Appendix, N° CCLXXXIII.

(b) Vide Appendix, *ibid*.

(c) Vide Appendix, *ibid*.

(1848)

on Account the Conquest of the Rohillah Country. I am now positively promised Payment Tomorrow, and after securing it, shall immediately proceed to the Negotiation of the Treaty. (a)

(Signed at the End of the Letter)

“ John Bristow, Resident at the Court of the Nabob of Owd.” ••

Read, also, the following Extract of a Letter from Mr. Bristow, dated 27th April 1775, from the same Consultation, beginning at Page 2202 of the same Book.

“ I wrote last on the 25th instant, and then informed the Honble. Board of the Promise I had obtained for the Payment of the Demands due to the Company; but as his Excellency disappointed me, I represented to him on the Occasion, ‘ That I had advised the Honble. Board of his Promise, and he must be sensible how ill the Delay would be received when the English on their Parts had been so punctual in the Performance of their Engagements. That my Instructions were positive, and if he did not grant me immediate Payment, I should be under the Necessity of explaining them to him, which though my Duty to do, I should nevertheless consider as a very hard Talk upon me, after the Friendship that had subsisted between the Company and his late Father for so many Years, and the great Hopes I hitherto entertained of its continuing with him.’ His Excellency hereupon promised me I should have the Money for certain Tomorrow: I submitted with much Unwillingness, and can assure the Honble. Board, it is not owing to any Backwardness in me that the Whole has not been paid, as I have constantly reminded his Excellency and earnestly pressed him for it. (b)

(Signed at the End of the Letter)

“ John Bristow, Resident at the Court of the Nabob of Owd.”

Read, also, a further Extract from the same Letter, and the same Consultation, beginning at Page 2204 of the same Book.

“ But from the Opinion of the Generality of People, I think it more probable than not, in case of the Recall of the Brigade, that many of his Phouzdars would raise Disturbances, and the principal ones throw off all Subjection. (c)

(Signed at the End of the Letter)

“ John Bristow,

Resident at the Court of the Nabob of Owd.”

(Signed at the End of the Consultation)

“ Warren Hastings,
J. Clavering,
Geo. Monson,
Rich^d Barwell,
P. Francis.”

Read, from Book 7, already delivered in, the following Extract of a Consultation of the 22d May 1775, beginning at Page 2251 of the same Book.

“ Fort William, the 22d May 1775.

Secret Dept.
Monday.

“ At a Council; Present,
The Honble. Warren Hastings, Governor General, President;
Lieut. General John Clavering,
The Honble. George Monson,
Richard Barwell, } Esquires.
Philip Francis, }

“ Copy of a Letter from Mr. Bristow to the Nabob Asoph ul Dowla, dated the 1st of Rubbee ul Awel, or 30th of April.

“ It appears, by the Accounts, that there is a Balance of Rupees 15,48,804 10 3 from your Excellency to the Company, on Account of the Forty Lacks stipulated, and of the Arrears due to the Troops.

“ Out of this Sum, your Excellency informs me, you have paid 2,10,000 Rupees to Colonel Gailliez. I have this Day written to him on this Subject, and shall soon receive his Answer.

“ This is the Day on which your Excellency promised to discharge Eight Lacks of Rupees. To this Time the whole Amount of what I have received is something more than Seven Lacks of Rupees, in Goods. Your Excellency informed me, that the Remainder should be shortly dis-

(a) Vide Appendix, N^o CCLXXXIV.

(b) Vide Appendix, *ibid*.

(c) Vide Appendix, *ibid*.

charged.—Although your Excellency has given me the fullest Assurances of the immediate Payment of this Money, yet the Officers of your Government have not complied therewith. I Yesterday addressed you on this Subject, but have not yet been honoured with an Answer.

“ As I daily receive the strictest Injunctions from the Governor and Council, not to consent to a Moment's Delay, but to collect it immediately, and dispatch it, I think it necessary to inform your Excellency of their Orders, and to request that you will give me an Answer, whether you will discharge it to Day or To-morrow; or, at all Events, if there is to be any Delay, that you will write me a clear and determinate Answer to this Address, that I may forward it to the Governor and Council: As it is not in my Power, in Consequence of the Orders sent me by the Governor and Council, to consent to any Delay, it is advisable that your Excellency should either discharge the Money, or give a clear and positive Answer.”

“ From the Nabob Asoph ul Dowlah to Mr. Bristow.

“ I have received your Letter, and understand the Contents. I comprehend what you write concerning the Sums due to the Company. The Affair is this: I have paid you the Allowance for the Troops for One Month, and also near Eight Lacks of Rupees out of the Fifteen Lacks. God willing, the Whole of the Balance due to the Company, exclusive of the Allowance of One Month and a Half to the Troops, shall be paid you by the Day after To-morrow. Of this you may be assured. I am anxious for the Discharge of this Money, and shall not be in any Manner negligent for that Purpose.” (a)

(No Signature at the End of the Letter.)

Read, also, a further Extract from the same Consultation, beginning at Page 2253 of the same Book.

“ Resolved, That the following Reply be sent to Mr. Bristow.

“ Sir,

“ We approve entirely of the Measures which you took with the Nabob for the Recovery of the Sums due from him, and desire you will continue your Remonstrances to him on the Subject of the Arrears of Subsidy, and insist upon the punctual and regular Payment of it for the future in the exact Terms of the Treaty.

“ As to the rest we deem it unnecessary to give you any further Directions, until such Time as we are informed of the Result of your first Overture to the Nabob on the Subject of the new Treaty.

“ We are, &c.” (b)

Read, a further Extract from the same Consultation, beginning at Page 2237 of the same Book.

“ Received the following Letter from the Resident at the Court of the Nabob of Owde.

“ Honble Sir and Sirs,

“ The Nabob began his first Payment to me on the Day before Yesterday, and I am promised the whole Sum as fast as I can receive it. (c)

(Signed at the End of the Letter)

“ Rajegur opposite to Konoje,
the 30th April, 1775.

“ John Bristow.

(Signed at the End of the Consultation)

“ Warren Hastings,
J. Clavering,
Geo. Monson,
Rich. Barwell,
P. Francis.”

Read, from Book 7, already delivered in, the following Extract of a Consultation of the 31st of May 1775, beginning at Page 2341 of the same Book.

“ Fort William, the 31st May 1775.

“ At a Council; Present,
The Honble. Warren Hastings, Governor General, President;
Lieutenant General John Clavering,
The Honble. George Monson,
Richard Barwell, } Esquires.
Philip Francis, }

Secret Dept.
Wednesday.

“ Received the following Letter from the Resident at the Nabob's Court.

(a) Vide Appendix, N^o CCLXXXV.

(b) Vide Appendix, *ibid*.

(c) Vide Appendix, *ibid*.

“ Honble.

“ Honble. Sir, and Sirs,
“ And he had the greatest Apprehensions of the Resolutions the Honble. Board might take, particularly with respect to his Brothers, whom it seems were mentioned in the late Vizier's Will; that is, ‘ he recommended them to the Countenance and Protection of the Nabob Asoph ul Dowlah for some competent Provision. (a)

(Signed at the End of the Letter)

“ Rajegyr Gaut, opposite to Konooje,
17th May 1775.

“ John Bristow,
Resident at the Court of the Nabob of Owdg.

(Signed at the End of the Consultation)

“ Warren Hastings,
J. Clavering,
Geo. Monson,
Rich^d Barwell,
P. Francis.”

Read, from Book 11, already delivered in, the following Extract of a Consultation of the 6th of June 1775, beginning at Page 23 of the same Book.

“ Fort William, the 6th June 1775.

Secret Dept.
Tuesday.

“ At a Council; Present,
The Honble. Warren Hastings, Governor General, President;
Lieutenant General John Clavering,
The Honble. George Monson,
Richard Barwell, } Esquires.
Philip Francis, }

“ Translation of an Agreement under the Seal of his Excellency the Nabob Asoph ul Dowlah.

“ The Balance due to the English Company, on Account the Countries of Corah and Allahabad, Rohilcund, and the Tuncawn for the Troops, according to the Engagements of the late Nabob Sujah-ul-Dowlah, shall be paid to them as it becomes due without any Dispute. (b)

“ Dated the 20th of Ruby ul Ewut 1189 of the Hegira,
or the 21st of May 1775.

(Signed at the End of the Consultation)

“ Warren Hastings,
Geo. Monson,
Rich^d Barwell,
P. Francis.”

Read, from Book 11, already delivered in, the following Extract from a Consultation of the 26th of June 1775, beginning at Page 331 of the same Book.

“ Fort William, 26th June 1775.

“ At a Council; Present,
The Honble. Warren Hastings, Governor General, President;
Lieut. General John Clavering,
The Honble. George Monson,
Richard Barwell, } Esquires.
Philip Francis, }

“ Received the following Letter from the Resident at the Court of Oude, dated Rajgyr Gaut, opposite to Konnoje, the 8th of June 1773.

“ To the Honble. Warren Hastings Esquire, Governor General, &c. in Council:

“ Honourable Sir and Sirs,

“ I wrote last on the 2d instant, and have to acknowledge the Honble. Board's Letter of the 22d ultimo.

“ I herewith inclose the Invoice of Treasure, dispatched under Charge of Lieut. George Wright, amounting to R⁵ 5,82,879 9.—I have also desired Mr. Motti to send by the same Conveyance, Two Lacks of Rupees received from Rajah Chyte Sing, being in Part of the Tuncaw due, until it was returned to me by that Gentleman. Besides the above Sums, there are about Eighty thousand Rupees now in my Possession; and Colonel Gailliez having called on me for Seven

(a) Vide Appendix, N^o CCLXXXVI.

(b) Vide Appendix, N^o CCLXXXVII.

(1851)

Lacks Twenty thousand Rupees, for the Expence of the Brigade, I have paid near Five Lacks, and hope to supply the Rest in a few Days. I shall in Course furnish the Honourable Board with a separate Statement of my Payments on this Head. Herewith the Honble. Board will receive an Account of the Subsidy, up to the 30th June (Instant), with a Balance of Awd Sicca Rupees 11,38,913 8, in Favour of the Company. I likewise wished to furnish a general Account of the Company's Engagements with his Excellency; but as the Honourable Board's Letter of the 10th April last mentions, that there will be hereafter a Claim made on the Nabob for Difference of Batta, I feared I should be liable to Errors; the very Rupees received by me being many of them the same Specie on which this Batta has arisen, and the Bullion I have dispatched is estimated according to its Value in this Country, and therefore out of my Power to judge how it will turn out in coining at the Presidency. But to give the Honble. Board a general Idea of the Balance, I take it in the following Manner, viz.

Due on Account the Subsidy	—	—	—	11,38,913 8
Balance for the Reduction of the Rohilla Country and the Cession of Corah and Illahabad, agreeable to Col. Primrose Gailliez's Account of the 21st March last	—	—	—	22,26,971 2
A Tuncau or Draft on Rajah Chyte Sing, refused Payment by the said Rajah	—	—	—	6,00,000 0
				<hr/> 39,65,884 10
Deduct Estimates, Sum received by me, which must be determined on the settling of the Batta, including the Payment to Col. Gailliez, and what I have remitted to the Presidency	—	—	—	11,50,000 0
Received by Mr. Motte	—	—	—	2,00,000 0
A further estimated Sum, Balance of the Rents of the Rajah of Benares, until he shall give over Charge of his Districts to the Company	—	—	—	2,00,000 0
				<hr/> 15,50,000 0
Balance including the 15 Lacks, the last Dividend of the Treaty of Benares, due on the 7th September next	—	—	—	<hr/> 24,15,884 10

" When I received the Instructions of the Honble. Board to be positive in my Demands on the Nabob for the Discharge of the Sums due to the Company, I used my Endeavours to effect it; and I hope that as the Proposals for the Treaty are acceded to, my conforming to the Satisfaction of the Nabob, where the Payment of the Balance is secure, but only procrastinated for a short Time, will meet with Approbation. It is upon these Grounds that I have consented to receive the Balance of the Rents due from Rajah Chyte Sing, which I will get passed in Account with the Nabob; whenever the State of his Excellency's Affairs will admit of any urging him for farther Sums, I shall be sure to do it; and I hope it will not be long first, as from the Money granted him by the Begum, and some Sums lately collected by Murtehzeah Cawn, I believe his Excellency will shortly have Money in his Treasury. (a)

(Signed at the End of the Letter)

" John Bristow.

(Signed at the End of the Consultation)

" Warren Hastings,
J. Clavering,
Geo. Monson,
Rich. Barwell,
P. Francis."

The Counsel for the Defendant stated, they would next proceed to shew the Situation of the Nabob at the Period of his Accession to the Musnud, when he entered into the Treaty of the 15th October 1775, with the Begum; and also his subsequent Situation at the Period of the Disputes between him and the Begum, in consequence of the Non-execution of the Treaty on her Part; for which Purpose, they proposed to give in Evidence the Representations transmitted by Mr. Bristow, the Resident at Oude, to the Governor General and Council, and the Consultations at that Period.

(a) Vide Appendix, N° CCLXXXVIII.

Read, from Book 589, already delivered in, the following Extract of a Consultation of the 3d March 1775, beginning at Page 1138 of the same Book.

Secret Dept.
Friday.

“ At a Council; Present,
The Honble. Warren Hastings, Governor General, President;
Lieutenant General John Clavering,
The Honble. George Monson,
Richard Barwell, } Esquires.
Philip Francis, }

“ General Clavering.—As I only consented that he should have the Assistance of our Troops on Condition of the Cession of Gauzipoor to the Company, I am of Opinion, that without that Condition obtained, no Subsidy whatever will be equivalent to the Risque and Expence which the Company may be drawn into in Consequence of our affording Support to a Prince so incapable of governing as the young Nabob is represented to be, and who is surrounded on every Side by Competitors to the several Countries to which he has succeeded. (a)

(Signed at the End of the Consultation)

“ Fort William,
the 16th February 1775.

“ Warren Hastings,
J. Clavering,
Geo. Monson,
Richard Barwell,
P. Francis.”

Read, the following Extract of a Consultation of the 20th of March 1775, beginning at Page 1526 of the same Book.

Secret Dept.
Monday.

“ Fort William, 20th March 1775.”

“ At a Council; Present,
The Honble. Warren Hastings, Governor General, President;
Lieut. General John Clavering,
The Honble. George Monson,
Richard Barwell, } Esquires.
Philip Francis, }

“ Received the following Letter from Col. Galliez to the Governor General and Council at Fort William.

“ Honble. Sir and Sirs,

“ He further told me, that although it would astonish me, yet he must with Regret own, that his Mother is at present his inveterate Enemy; that she has with Elich Cawn urged every Means to distress him, and that the above Story was propagated by them for that Purpose. He would not hesitate, he says, to make an immediate Example of some of these Conspirators, but is anxious to have himself securely fixed in his Dominions, before he takes any Steps of that Nature. Elich Cawn has so long had the Management of his Father's Affairs, that it will require some Time before he can obtain from him a proper Account of his Finances. He is therefore under the Necessity for the present of suffering these Injuries, until he finds himself in a Situation to resent them, without Danger of Commotion or Hurt to his Finances, as Elich Cawn has secretly in his Possession large Sums of his Father's Revenues. (b)

(Signed at the End of the Letter)

“ Camp at Mindy Gaut,
3d March 1775.

“ P. Galliez.

(And at the End of the Consultation)

“ Warren Hastings,
J. Clavering,
Geo. Monson,
Rich. Barwell,
P. Francis.”

Read, from Book 7, already delivered in, the following Extract of a Consultation of the 20th of April 1775, beginning at Page 1774 of the same Book.

Secret Dept.
Thursday.

“ Fort William, 20th April 1775.

“ At a Council; Present,
Lieutenant General John Clavering, President;
The Honble. George Monson,
and
Philip Francis Esquire.

“ Received a Letter from the Resident at the Court of Owde, dated Mindy Gaut, the 2d March 1775.

(a) Vide supra, Page 46.

(b) Vide Appendix, N° CCLXXXIX.

(1853)

“ The Governor General and Council at Fort William.

“ Honble. Sir and Sirs,

“ The Nabob Asuf-ul-Dowlah differs widely in his Policy: Murtehze Cawn, by being invested with the sole Management of every Department, has in Fact more Weight than his Excellency himself, in Consequence of which I hear of general Discontents amongst the old Servants of the Government, who now continue to hold their Places more for the Means of a Subsistence than for the Attachment they bear either to the Nabob or to Murtehze Cawn. In speaking of these Discontents, it is necessary to observe, that Ellye Cawn and Bashur Cawn having been both of them beloved by the late Vizir, he had bestowed many Favours on them, attended to their Recommendations for vacant Offices, and thereby enabled them to provide for a numerous Body of Dependents, Murtehze Cawn has to expect the Opposition of these Two powerful Parties, who doubtless will do any Thing to hurt him, and we are therefore to lay to their Accounts many of the Reports which now prevail to the Discredit of this new Minister.

“ Notwithstanding the Confidence the Nabob reposes in Murtehze Cawn, the Begums are much dissatisfied with his Elevation. (a)

(Signed at the End of the Letter)

“ John Bristow,
Resident at the Court of the Nabob of Owd.

(Signed at the End of the Consultation)

“ Warren Hastings,
J. Clavering,
Geo. Monson,
P. Francis.”

Read, from Book 7, already delivered in, the following Extract of a Consultation of the 22d of May 1775, beginning at Page 2241 of the same Book.

“ Fort William, the 22d May, 1775.

“ At a Council; Present,
The Honble. Warren Hastings, Governor General, President;
Lieut. General John Clavering,
The Honble. George Monson,
Richard Barwell, } Esquires.
Philip Francis, }

Secret Dept.
Monday.

“ Received the following Letter from Mr. John Bristow to the Governor General and Council at Fort William.

“ Honble. Sir and Sirs,

“ In my Letter of the 15th April, I mentioned the Promise the Nabob had made his Matchlock-men of encreasing their Pay; but as he intended they should receive it only when they might cross the Ganges, the Discontent again soon broke out amongst them stronger than ever, and early this Morning they openly demanded it, as well on this Side the Ganges, as on the other, and if the Nabob would not grant it them, they insisted upon their immediate Dismission, and of having their Arrears of Four Months and a Half discharged in full. On hearing of the Disturbance, and that the Nabob's Battalions were ordered under Arms to oppose the Mutineers; I immediately waited upon his Excellency, and found him mounted upon his Elephant. Messages had passed in which he had positively rejected the Increase of Pay; as they demanded it, he agreed to give them their Dismission, and offered them One Month and a Half Pay in ready Money, and the Remainder in Tunkaws on different Parts of the Country; but as they adhered to what they had at first asked, the Nabob, after remaining in the Field till Three o'Clock in the Evening, quelled the Mutiny by paying Two Lacks and Twenty thousand Rupees, and dismissing them his Service: But he has since changed his Resolution, purposes to retain these Troops, and allow the Increase of Pay as they demanded it.

“ The Company's Army is encamped about Three Cofs off, yet the Nabob never once talked of calling for its Assistance, but seemed to lay his whole Dependence on his Battalions, or rather on the agreeing to an Accommodation with the Mutineers upon any Terms. Although the coming to Action was often talked of, yet there was little Appearance of it in Fact, as the Tents of the whole Camp were left standing, and no Disposition whatsoever made for a Retreat, which, in case of the Nabob's Defeat, could not have been effected but with great Slaughter, the River being in our Rear, and the Enemy in Front.

(a) Vide Appendix, N° CCXC.

“ By

(1854)

“ By a Medium Computation I state the Numbers of the Mutineers as follows :

The Burruk Fultan under Mahboob	—	—	6,000
The Nudjyt Fultan under Myr Afzut	—	—	5,000
Ditto under Lettaput	—	—	5,000
			<hr/>
			16,000

To these the Nabob had Eleven incomplete Battalions of Sepoys to oppose; some of them newly raised; so that if we had come to Extremities, it is the general Opinion of the People in this Camp, the Nabob would have been defeated, as the Matchlock-men bear the Character of possessing personal Courage; and the Sepoys were much intimidated. In regard to Artillery, both Sides were pretty equal; but the Nabob had the worst of the Situation, not having his Men collected together, but scattered about in Bodies of Two and Three Battalions, and his Guns so far advanced, that in case of a brisk Motion of the Mutineers, they might have been all taken before his Troops could have been brought to their Support. His Excellency, during the whole Time, gave his Orders without the least Agitation, and shewed no Signs of Want of personal Courage. The Nabob's Conduct on this Affair has served to confirm his Troops in their mutinous Disposition; for though he may have acted a prudent Part in avoiding a Risk of a Battle, still, in the Commencement of his Government, it has much hurt his personal Influence amongst his Subjects. I do not advance this as Matter of Opinion of my own, but as what I observed from the Conversation of Persons present upon the Occasion, and those I have since seen. (a)

(Signed at the End of the Letter)

“ Rajgyr Gaut, opposite to Rannooge,
4th May 1775.

“ John Bristow,
Resident at the Court of the Nabob of Owde.”

Read, also, the following Extract of a Letter from Mr. John Bristow to the Governor-General and Council at Fort William, from the same Consultation, beginning at Page 2244 of the same Book.

“ Honble. Sir and Sirs,

“ In my Letter of the 30th ult. I mentioned the first Payment having been made me, and the Promise that I should have the whole Sum as fast as I could receive it. At an Interview I had the Day after with the Nabob, he himself engaged to adhere to his Promise, but sent his Prime Minister to persuade me to admit of Twenty or Thirty Days Delay. I refused to do it, and in order to prevent the Nabob from thinking I consented to this Proposal, I lost no Time in making my Demand in Writing; I directed the Person whom I sent on the Occasion not to receive a verbal Answer. On the Receipt of my Letter the Nabob consulted for Three Hours with Murteza Cawn, and after all only returned me a Message by my Servant that the Money should be paid. I in consequence the next Day waited upon his Excellency, and presented a second Representation, telling him that I insisted upon his Writing me a Letter, engaging to come to some certain Determination. He for a long Time evaded a Compliance with my Request, but at last promised me an Answer early the next Day, and I obtained it. The original Letter, together with my Two Representations, I herewith enclose.

“ I had constant Intelligence of the Discontents amongst the Troops, and expected a Mutiny would happen, which made me the more urgent in my Demands. The 3d instant passed and I received no Money, and the 4th was the Day of the Mutiny. I suspect that the Troops never intended themselves to proceed to the Lengths they did; but they were secretly encouraged by their Leaders to make a Disturbance as the only Means to obtain any Part of their Pay, which they said, the English prevented by the pressing Demands they made upon the Nabob. It was the more necessary they should be satisfied, as it was intended to detach Lettaput to reinforce Basheer Cawn in case the Sikes might commit Hostilities. Mahboob was to be appointed Phoul-dar of Kora, and Meer Afzut Anoop Gyr to assist in the War against the Aumils of Kalpy.

“ The Day before Yesterday Murteza Cawn called on me to excuse the Nabob's not having complied with his Promise. He said I must be sensible of the Trouble and Confusion that had ensued, and how impossible it was for him to do any Business at such a Time; but the worst Circumstance was, that Part of the Money intended for the Company had been paid to the Mutineers.

“ As I attended the Nabob during the Disturbance, I heard him unguardedly say, ‘ He had ‘ Plenty of Money,’ on its being observed to him that he had none to satisfy the Mutineers. I reminded Murteza Cawn of this Speech, and adhered to what I had before demanded of having the Whole immediately sent me, and told him I should not consider farther Delays as in any Respect the Intention of the Nabob, but his Neglect, and in such Light would I represent the Matter. He desired me on no Account to speak to the Nabob, as he undertook to satisfy the

(a) Vide Appendix, N° CCXCI.

Company's Demands. At present, though there was Gold and Silver in the Treasury, yet little of it was coined, and it would take Time to do it. I offered to receive the Bullion, if the Nabob engaged to answer for any Deficiency which might arise. He readily acquiesced, and by these Means I have altogether got about Eleven Lacks, and am positively promised Two or Three more To-morrow, when I shall immediately commence upon the Treaty.

" On my obtaining the Nabob's Answer, I protested against his keeping the Subsidy a Month and a Half in Arrear, insisting upon having it paid up to the present Date. He was very much offended at me for doing this, and said ' he considered the Company's Troops as his Servants, and ' surely he had a Right to keep them in Arrears; if he could not have them upon this Footing, he ' would send them away.' I told his Excellency the stationing the English Troops at such a Distance was not agreeable to you, but done merely to keep his Country in Subjection, and an Act of Friendship to him out of Regard to his late Father. I persisted in my Demand that they should be paid in full, and further insisted on having no such Language used in future, in speaking of the English Government, as great if not the greatest Power in Hindostan. After much Argument, in which I always spoke to his Excellency in the most respectful Style, he told me I had mistaken his Meaning, ' That the Friendship subsisting between the Company and him, was so strong that he ' considered their Troops as his Servants, and his as theirs. (a)

(Signed at the End of the Letter)

" Rajegyr Gaut, opposite to Konooje,
7th May 1775.

" John Bristow,
Resident at the Court of the Nabob of Oude."

(Signed at the End of the Consultation)

" Warren Hastings,
J. Clavering,
Geo. Monson,
Rich^d Barwell,
P. Francis."

Read, from Book 11, already delivered in, the following Extract of a Consultation of the 24th of July 1775, beginning at Page 601 of the same Book.

" Fort William, 24th July 1775.

" At a Council; Present,
The Honble. Warren Hastings, Governor General, President;
Lieutenant General John Clavering,
The Honble. George Monson,
Richard Barwell, } Esquires.
Philip Francis, }

Secret Dept.
Monday.

" Read the following Letter from Mr. Bristow to the Governor General and Council, dated Lucknow, 30th June 1775.

" Honble. Sir, and Sirs,

" In regard to the Nabob Afsut ul Dowlah in the Commencement of this Negotiation, his real Intentions were to obtain the Company's Acquiescence in the Alliances of the Jauts and Rajpoots, and also procure their Guarantee of the Doab and Rohilcund, by which he would have imagined himself to have been secured from the Intrigues of his own People, or the Invasion of a foreign Enemy, to guard against both of which, a Brigade stationed in either of those Provinces is thought sufficient. Having thus got the Company's Protection, he would judge himself at Liberty to follow his earnest Desire of gaining new Acquisitions, and therefore purposed to foment the Divisions between the Powers at War, until he had reduced them to so low a State, that they would willingly come into his Terms: His Views would then have been to conclude the Peace, and demand the Country possessed in the Doab by Nudjif Cawn, situated to the Northward of Fizogabad and Ferochabad, the Boundaries of his own Dominions, into which Parts he intended to have previously sent a large Body of Troops by Way of making a Diversion in Favour of the Rajpoots and Jauts. This Plan was to have been executed after the Rains, and as a preparatory Measure, his Excellency proposed to me to station a considerable Force on his Frontiers, to be ready to make the Invasion immediately on the setting in of the dry Weather; but this would not be attempted without the Guarantee from the Company, as the Nabob entertains great Doubts of the Fidelity of his own Officers. There is the greatest Reason to distrust them, for I have almost certain Intelligence that Arroopgyr protracts the War against the Marattahs, purposely to create Excuses for not making Remittances of Revenue, by urging that the Expences of the Troops stationed with him to the Number of Twenty thousand Horse and Foot consume the Whole. It is also positively asserted, that he and Buffant Ally Cawn, the Eunuch, who is with him, and has Seven Battalions of the best Sepoys in the Na-

(a) Vide Appendix, N^o CCXCI.

bob's Service under his Command, have sworn to abide by each other's Fortunes; even to disobey the Nabob's Orders when they may affect either their Lives or Fortunes, and so long as possible evade his Commands to attend at the Presence. Arroopgyr's Fidelity to his Master is for every Reason to be suspected: His Behaviour both before and after the Battle of Buxar was notorious, and from his Cast alone we are to expect him to be prepossessed in Favour of the Marattahs, and that he would ardently seize the first Opportunity of uniting with them, and throwing off his Dependence. His Arms could not well fail of meeting with Success, as his Force was so superior: I understand he has conquered Kelpy and Countries about it, as far as Kouch, which used to yield a Revenue of about Eleven Lacks of Rupees to the former Possessors.

"In the like Situation to Arroopgyr is Balheer Cawn, the Naib of the Province of Rohilcund, who has, at least, Twenty-five Thousand Men under his Command, and Collections to the Amount of Sixty-eight Lacks of Rupees a Year. He is said to have entered into a private Treaty with the Sikes. Balheer Cawn and Arroopgyr rent above a Third of the Nabob's Revenue, and command near Half his Army; however, I by no Means consider either of them really formidable from any Military Experience or superior Abilities which they possess, as I am sure a vigorous Exertion of Authority on the Part of the Nabob would at once stop their Defection. The Causes of it proceed entirely from his Excellency's not observing any Regularity in the Transaction of his Business with the Civil Officers of his Government, and also by submitting to all the Demands his Troops have made on him in a tumultuous and mutinous Manner. It is now come to those Lengths, that I have known it frequently happen for them to disobey the most positive Orders, and as to Punishments, he dare not inflict them. On a particular Occasion, he directed Two Battalions to march to Bareilly. They refused to go; upon which his Excellency went in Person amongst them to bring them into Obedience; but finding all his Endeavours in vain, he declared he would not have such Troops in his Service, and directed them, on the Spot, to lay down their Arms and Accoutrements. They immediately complied; but, on having done it, they spread themselves amongst the other Troops in Camp at the Time, represented to them the peculiar Hardship of their Case of meeting with the Nabob's Displeasure for only acting as they ought; that it was a common Cause; and if they did not adhere to each other, it would be their Fate to meet with the same ill Usage hereafter. In less than Three Hours all the Rest, to the Number of Nine Battalions of Sepoys, were under Arms, and requested their Dismissal likewise; but the Nabob exerted himself in persuading them to continue in his Service, consenting, at the same Time, to retain the other Two Battalions. With Difficulty, he also got them some Time after to march to Bareilly. Notwithstanding what had passed, his Excellency, on having determined to keep the Brigade, dismissed the above Nine Battalions, and Two others, as also other Troops, altogether to the Number of Twenty thousand Men. Still his Discipline is as bad as ever; for on our Arrival at this Place, a Third Part of his Army requested his Permission to go and see their Families, and, on his Refusal, compelled him to grant it them.

"The Nabob's Affairs being in a Situation that it will require his utmost Care and Attention to secure his own Dominions, the forming, at such a Time, Plans of Conquest, appears impracticable, as well as weak." (a)

Read, also, the following Extract of a Letter from Mr. Bristow to the Governor General and Council, dated Lucknow, 9th July 1775, beginning at Page 610 of the same Book.

"Honble. Sir and Sirs,

"Notwithstanding his Excellency has made me positive Promises, and is himself really desirous of discharging the Company's Demands on him, yet his Affairs are so circumstanced, that I find it impossible immediately to realize the Balance. I have therefore for some Time been considering of a Mode to remedy these Inconveniences, by the Nabob's appropriating the Revenues of certain Districts for the Payment of the Monthly Subsidy, which will otherways inevitably fall more and more in Arrear. As his Excellency can never be better inclined to comply with the Company's Requests than at present, I asked Murtehze Cawn how such a Proposal would be received, and he told me very favourably; but desired of me to wait a few Days before I spoke to the Nabob, as it was necessary to consider what Districts could be best allotted for this Purpose. None are so conveniently situated as those between this Place and the English Camp, both for expediting the Remittances to the Presidency, and the complying with the Demands of the Commanding Officer of the Brigade. I mean in this Plan though not to incur the Company with any Charges of Collection, &c. but to have the neat Sums paid me, as they are at present, where it may be most convenient to receive them, and that on the Districts thus appropriated, his Excellency shall not grant Tuncaws in Favor of Individuals. I propose to continue my Endeavours to recover all other Monies due * the Company, and be the more urgent (so as not to

* Sic in Orig.

(a) Vide Appendix, N° CCXCII.

(1857)

offend his Excellency), as I see less Prospect of his accumulating a Fund now, than the First Day of my Arrival. (a)

(Signed at the End of the Letter)

“ John Bristow,
Resident at the Court of the Nabob of Owde.

(And at the End of the Consultation)

“ Warren Hastings,
J. Clavering,
Geo. Monson,
Rich. Barwell,
P. Francis.”

Read, from Book 12, already delivered in, the following Extract of a Consultation of the 11th of September 1775, beginning at Page 210 of the same Book.

“ Fort William, the 11th September 1775.

“ At a Council; Present,
The Honble. Warren Hastings, Governor General, President;
Lieutenant General John Clavering,
The Honble. George Monson,
Richard Barwell, Esquire.
Mr. Francis indisposed.

Secret Dept.
Monday.

“ Received another Letter from the Resident at the Court of the Nabob of Owde.

“ Honble. Sir and Sirs,

“ I had the Honour to address the Board on the 14th and 20th instant.

Mr. Bristow.

“ Having forwarded a Letter to the Honble the Governor General from Anoop Gyr, I must, in Confirmation of what I before informed the Honble Board relative to his Want of Fidelity to the Nabob, mention an Application made to me in his Behalf for the Company's Protection. I refused to give it him without special Orders, whereupon his Vakeel, through whom the Application came, put several Questions to me concerning the Intentions of the Honble Board, in case Anoop Gyr should throw off his Subjection to the Nabob. He told me his Master considered himself independant, as he had a large Body of Men of his own Cast under his Command, and his Excellency could not of himself reduce him. After much Conversation with the Vakeel, in which the only Apprehension he repeatedly expressed for his Master was the Interference of the Company, he said, as I would not without special Orders take any Part in his Master's Affairs, that he had forwarded him an open Cover of a Letter to the Governor General, and left him at Liberty to write what he found necessary, or I advised. I declined to give my Advice in any Respect. He then asked me if I would forward any Letter for him; I answered by all Means, as it was my Duty; and when the Orders of the Honble. Board arrived, I would conform to them and intimate them to him.

“ I think there can be now no Doubt of Anoop Gyr's Designs; but in order to prevent the Nabob from entertaining Suspicions of the Company's countenancing his disaffected Subjects, I told him I had certain Intelligence of Anoop Gyr's ill Intentions; previous to the doing of this, I took the Precaution of requiring a solemn Promise from his Excellency, not to declare the Channel of his Information, at the same Time I left him at Liberty to take proper Measures to counteract any bad Consequences, and this I did in order to convince the Nabob of the Firmness of our Connection with him, and as our invariable Custom to inform our Allies of any Plans which might be forming to their Detriment: I further said, I hoped his Excellency too would act with the same Candour in future, especially in regard to the French, who I knew had used their Endeavours to spread many Reports to the Prejudice of the English; I could not well let him know my Author, for fear of losing the Confidence of the Persons about the Durbar in case of its being made Public. (b)

“ I have, &c.

“ Lucknow,
22d August 1775.

(Signed) “ John Bristow,
Resident at Owde.

(Signed at the End of the Consultation)

“ Warren Hastings,
J. Clavering,
Geo. Monson,
Rich. Barwell,
P. Francis.”

(a) Vide Appendix, N° CCXCII.

(b) Vide Appendix, N° CCXCIII.

Read,

(1858)

Read, from Book 12, already delivered in, the following Extract of a Consultation of the 18th September 1775, beginning at Page 391 of the same Book.

“ Fort William, the 18th September 1775.

Secret Diary.
Monday.

“ At a Council; Present,
The Honourable Warren Hastings, Governor General, President;
Lieutenant General John Clavering,
The Honble. George Monson,
Richard Barwell, } Esquires.
Philip Francis, }

“ Read the following Letter from Mr. Bristow to the Governor General and Council, dated Lucknow, 28th Aug. 1775.

“ Honble. Sir and Sirs,

“ The Honble. Board were pleased to direct me not to accept the Assignment of the Rents of certain Districts for the Payment of the Subsidy, but to make Application to the Nabob for the Money as it shall fall due. I have accordingly strictly adhered to this Order; yet many Circumstances occurring which it was impossible for the Honble. Board to know, I humbly beg their Excuse for the Omission I was guilty of, in not having stated them fully at the Time of my making the Proposal, and hope that my doing it now, after the Honble. Board have formed their Resolution, will not be thought improper.

“ The greater Part of the Nabob's Rents are anticipated by various Channels. He therefore finds himself in the Receipt of immense Revenues, whilst a very small Proportion ever comes into the Sudder Treasury. For instance, a few indeed of the Civil Officers about the Court ever receive their Allowances immediately on the Spot. They are granted Tuncaws on various Districts to which they send their Agents, who take Care to present their Demands at the Time their Collections are making, of which they are early advised by being on the Spot; and if the Power and Influence of their Principal will not exact the Payment from the Aumil, they make him a Present, which at once effects the Point. Merchants, Contractors for Military Stores, and, in general, Persons of all Denominations, who have any Transactions with the Government, are paid in this Manner: All Troops, excepting those with the Nabob, are stationed in different Parts of the Country, for the enforcing of his Authority: They will be first paid; and after satisfying all these Demands, the Balance of the Revenue is deposited in the Sudder Treasury, from which is to be defrayed the Nabob's Household and necessary Expences, the Charge of the Troops always with him, and the Subsidy and other Monies to the Company. Now, on my applying to his Excellency for Money, he has delayed the Payment more than once, upon the Pretence of having been obliged to satisfy the mutinous Demands of his Troops: they obliging him, as his Excellency has expressed himself, to pay them the very Money he designed for the Company. When the Nabob is in this Situation, pressed at one Time by his own Servants and others with whom he has Transactions, by his Troops and by the Company, it is but natural for him to think the Evils nearest to him the greatest, and perhaps overlook the real Causes of these Inconveniencies. I therefore again humbly submit to the Consideration of the Honble Board the Mode of appropriating the Rents of certain Districts, wholly to the Payment of the Subsidy, without the Company's having any Thing to do with the Collections, or having any Authority whatsoever in the Country, and that he shall faithfully promise he will not, on any Occasion, grant Tuncaws on these Districts in Favour of Individuals. The Nabob will thus be relieved from the very pressing Demands I am monthly obliged to make on him, to prevent the Subsidy from falling in Arrear. He will not so much feel the Expence, and by the fewer Objects he has to attend to on the Part of the Company be the more anxious to preserve their Alliance, and satisfy any Requests which it may be occasionally requisite to make him.

“ In regard to the Nabob's pledging his Districts to Individuals who would lend him Money upon that Security, I humbly represent this Measure to be impracticable under the arbitrary Government at present established in this Country, unless the Company would be the Guarantees for the Performance of any Engagements entered into on this Head. Property is so insecure that no Man hardly dares to own what he really possesses, else either the Ministers or Favorites of the Nabob, or even the Nabob himself, would exact large Sums of him by way of Loan or Nuzerana; if the former, he rarely gets paid, and if he does, the Delays and Deductions for Presents to those who forward the Payment are so high, that he generally loses by the Transaction. The public Credit is by those Means ruined, and I do not suppose there is one Merchant in the Nabob's whole Dominions who would of his own free Will make him a Loan. A very strong Instance of it happened in the transmitting of Bills to Delhy for the Payment of the Peshcush for the Vizariat. The Nabob asked the Merchants and Bankers of this Place to furnish him with Bills, and, as he had not ready Money in his Treasury, he required a few Days Credit, which they positively refused to grant him upon his Word, but at the same * consented, if I would in the Company's Name become Security. The Nabob refuses the Proposal, and I thought the Affair at that Time too trivial to trouble the Honble Board with.

* See in Orig.

“ The Nabob's Aumils are but ill subjected to his Authority even in the neighbouring Districts to where he resides. Suppose him then to march to Delhy, or some distant Quarter of his Dominions, there must, in such Case, greater Irregularity ensue, and the Subsidy be obtained with Difficulty, unless there is some Person who is bound to answer for it, or suffer the severest Punishment on his failing. I also further humbly submit to the Consideration of the Honourable Board, whether having the Funds for the Support of our Army in our Hands would not be of some Moment to us in case of a War in this distant Country. (a)

“ Lucknow,
30th August 1775.

" I have, &c.
(Signed) " John Britow,
Resident at Owde."

Read, the following Letter from Mr. Briřkov to the Governor General and Council at Fort William, from the same Consultation, beginning at Page 395 of the same

“ Honble, Sir and Sirs,

“ I addressed the Honble. Board on the 30th ult. and this Day Intelligence is received of Basheer Cawn's having run away and left his Charge. It is not yet known what Route he has taken, and if any Troops will join him; but the Nabob expresses no Apprehensions on this Head.

“ I think it improbable he would go off without some View or Support, and that the Defection is more general than his Excellency imagines. The Honble. Board are, by my former Letters, fully informed of the Situation of Affairs, and that such an Event as this was to have been expected. I hope, To-morrow, to give a particular Account of the Nabob's Resolutions, and every Thing relative to this Affair. (b)

"I know,
2d Semester 1976

“ I have, &c.
(Signed) “ John Bristow,
Resid^t at Owde.”

Read, the following extracts
 from the Council at
 of the same Book.

Mr. Bristow to the Governor General Consultation, beginning at Page 397

“Honorable Sir and Mrs,

"I addressed the noble . . .

“As I was directed by the Government to pay the Sum due to the Company the immediate Object of my Mission was to obtain from the Government the Sum due to the Company the immediate Balance, and to obtain from the Government the Sum due to the Company the immediate the Cession of the Province of Allahabad.”

"The Nabob acknowledges the objects of the Demand, but represents his absolute Inability to make immediate payment: and therefore humbly submit his Request for some Months Delay, to the Consideration of the Honourable Board.

“ Mentezah Cawn has repeatedly explained to me the Difficulties under which the Nabob laboured in regard to his Finances; that he succeeded to the Musnud with a large Debt to the Company, some Months Arrears due to his Troops, and great Expences to defray on his taking Charge of the Government, and hardly Fifteen thousand Rupees in his Treasury wherewith to satisfy all these Demands: To be sure he did succeed at the Season of the great Collections; but, from various Causes, they have fallen very short, and his Charges have exceeded his Receipts. Many Persons, upon both his Civil and Military Establishments, have Three, Four, and Five Months of their Pay in Arrear. If his Excellency's Revenues were collected, and his Aumils properly restricted, and not suffered to make high Claims of Deductions and exorbitant Charges, I am convinced he would annually have a considerable Overplus.

"On my pressing the Nabob to think of Means to pay the Balance, he has propos'd either putting Lands into the Company's Possession as a Security, or else granting Tuncaws on certain Districts, from which he will not himself make any Collections, until the Company's Debt shall be paid in full. After much Deliberation, he propos'd Lands to the annual Rent of Ten Lacks of Rupees, which would discharge the whole Sum in Three Years, reckoning the Debt on every Account at present at about Thirty Lacks. As I did not think the Honble. Board would approve of this Proposal, I avoid'd to give the Nabob any Hopes that it would be accepted; on the contrary, I observ'd to him the Length of the Time would be object'd to, as many unforeseen Opportunities might occur, and enable him to discharge the Whole at once. I made this Observation, because his Excellency purpos'd to pay a Visit to his Mother. I cannot positively say when, as the Day has often been fix'd, and as often deferred. But the Intent of his Journey is to procure Money upon the Pretences of discharging his Debt to the Company, and to answer the Demands

(a) Vide Appendix, N° CCXCIV.

(b) Vide Appendix, *ibid.*

of his Government. He has not told me the Sum he intends to ask; but I believe it is Twenty Lacks, as much of which as I can I shall procure. I did myself the Honour to offer to attend his Excellency; but he particularly requested I would not, as he should be only Two or Three Days at Fyzabad, and be absent but Six at farthest.

"The Nabob has, within these Five Days, dismissed near 20,000 of his irregular Troops: He declares his Intention to retain a large Proportion of their Pay, and what he will give them shall be only Part in ready Money, and the Rest in Goods, by which they must lose considerably. He will hereby add 20,000 more Malcontents to his disaffected Subjects. The Consequences of this Measure, at the present Juncture, may be particularly prejudicial; for it is not only disgusting these Men, but an Example of what others are to expect. He has not stopped here; but it is thought he intends to raise new Troops, the Command of which he will give to the Relations and Dependants of his favourite Minister: But I think it probable, on the finally settling of Accounts, that the disbanded Troops will not submit to his Excellency's Pleasure. The general Discontents prevail more than ever, and the Name of Saudet Ally is often introduced, inasmuch that the Minister begins to be suspicious of his Intention, though his Conduct has apparently been on his Part irreproachable, and I do not hear of his keeping up a Correspondence with any of the Chiefs.

"In my Letter of the 3d instant, I informed the Honble. Board of the Nabob's having dispatched Sunet Sing and Gopaul Row, to Rochilcund. He gave the Order in my hearing; but it seems there was a considerable Sum in Arrears to Gopaul Row's Troops, and they, One and all, refused to march. The Consequence was a Delay of their Departure till now. The Dispute was settled by the Nabob's paying them their Arrears, all to Two Months, and they will, in all Probability, march To-morrow. Basheer Cawn has left Golab Sing Gojur, and is said to have set off for Delhy, attended only by Three or Four Persons. It appears he had undoubtedly Intentions of revolting; but he was attacked unprepared; for he did not think the Nabob would so soon have come to Extremities, and that he could have amused him for Two or Three Months longer. (a)

(Signed at the End of the Letter)

"Lucknow,
5th September, 1775.

"John Bristow,
Resident at Owde."

Read, also, a further Extract from the same Letter, and the same Consultation, beginning at Page 402 of the same Book.

"P. S. Though I did not give the Nabob Hopes that the Assignments of Lands for the Payment of the Debt to the Company would be accepted, yet the Offer is not refused, and I can almost answer for it that it would be the most agreeable Mode to his Excellency in the present State of his Affairs.

(Signed) "J. B."

Read, also, a further Extract from the same Consultation, beginning at the same Page.

"Resolved on the following Reply to the Resident at the Court of the Nabob of Owde.

"To Mr. Bristow.

"Sir,

"We are now to reply to your Letters of the 28th and 30th August, 2d, 3d, and 5th September.

"We rejected your former Proposal of receiving Tuncaws or Assignments on Lands from the Nabob in Payment for the Subsidy to the Brigade, because we preferred obtaining ready Money from him whilst there remained the least Probability of his being able to pay it, to the precarious Receipts of Money arising for the Revenues of Lands; but, from the Manner, in which you now represent the distracted State of the Nabob's Finances, and the general Alienation already made of his Revenues, we cannot but be of Opinion that this Mode should be immediately adopted. We therefore authorize you to accept Tuncaws upon such Districts as may be at present, or will soon become free from prior Mortgages to the Amount of the Monthly Subsidy, to be collected by the Means of an Aumil or Collector appointed by the Nabob, who shall in every Respect remain under his Authority as before; but the Nabob should engage to dispossess him of his Office, and appoint another in his Room, on any Representation from you of his having failed to discharge the stipulated Payments or Kists, and the Nabob shall keep such a Force in the Country as may be necessary to secure the due Payment of the Collections.

"We would recommend that the Tuncaws should be demanded on such Lands only as lie contiguous to the Brigade, or to Chunar, provided such can be obtained; however, as you may

(a) Vide Appendix, N° CCXCIV.

from your local Knowledge of the Country find Objections to these, which we do not foresee, that may make them less eligible than other Situations, we only recommend them, but leave it to your Discretion to make Choice of the best.

" You must be particularly attentive to ascertain the true Amount of the Collections of any Lands that may be assigned not from the Jumna or estimated Amount, but by the Accounts of the actual Collections from them, and take Care that the Tuncaws granted be not rated at a higher Value than the real Worth of the Lands, but rather under it, and that they be given upon the richest and securest Countries, also that the Nabob engage to make good the Deficiency of each Monthly Payment of the Tuncaws from his own Treasury.

" You will transmit us a very accurate Account of every Assignment which may be made to you, describing the Situations of the Lands, their Jumna, and actual Collections, and advise us regularly in what Manner the Payments are kept up by sending down a Monthly Account with the Nabob.

" We must remind you, that the Term of the last Payment of the Sum due on the Treaty of Benares is now expired, and we hope you have taken such Measures as to secure the Discharge of it, as well as the Balances due on the other Accounts to the Company. You must insist upon the Nabob's paying them off in ready Money, as we cannot agree to receive Tuncaws for these Sums, which should have been regularly discharged as they fell due. (a)

(Signed at the End of the Consultation)

" Warren Hastings,
J. Clavering,
Geo. Monson,
R. Barwell,
P. Francis."

Read, from Book 75, already delivered in, the following Extract of a Consultation of the 18th of October 1775, beginning at Page 731 of the same Book.

" Fort William, the 18th October 1775.

At a Council; Present,
The Honble Warren Hastings, Governor General, President;
Lieutenant General John Clavering,
The Honble. George Monson,
Richard Barwell, } Esquires.
Philip Francis, }

Secret Dept.
Wednesday.

" Read the following Letter from Mr. Bristow to the Governor General and Council, dated Lucknow, 3d October 1775.

" Honble. Sir and Sirs,

" I had the Honour to address the Board on the 3d instant.

" Since my Address of the 9th Ultimo, the Rains have again failed, and a westerly Wind as pernicious as the Drought has prevailed to the great Detriment of the Herinf Harvest; the Rutbyals, on which the principal Dependence is to be laid, will, unless we have a few favourable Showers within the Course of Fifteen Days, in all Probability be much hurt; but this depends a good deal on the falling of the Dews in the cold Weather, which greatly assist the Growth of the India Corn and Wheat." (b)

Read, a further Extract from the same Letter and the same Consultation, beginning at Page 732 of the same Book.

" Nevertheless as it is impossible to determine positively on even probable Events, in an irregular Government where few Precautions are taken, and most Measures dictated by uncertain and unsteady Councils, I humbly submit it to the Consideration of the Honble. Board, whether under such a Government the Consequences may not be equally as bad as if an actual Famine did prevail. I do not speak in this Instance speculatively, but upon positive Facts, which have lately come within my own Knowledge, and which I here beg Leave to state.

" Notwithstanding the Nabob has repeatedly issued the most positive Orders to all his Officers, not to impede the Supplies of Grain for the Brigade, there is hardly a Follower of the Camp who goes out, though ever so legally authorized to purchase, but what is detained at every Chokey, and exposed to many vexatious Demands: I am sure I have had Twenty Merchants complain to me of their Grain being stopped, and on my applying to his Excellency and his Minister, they immediately had it released, and expressed their Inclination to yield me every Satisfaction. (c)

(Signed at the End of the Letter)

" Lucknow,
4th October 1775.

" John Bristow, Resident at Owde.
(And at the End of the Consultation)

" Warren Hastings,
Geo. Monson,
P. Francis,
Rich. Barwell."

(a) Vide Appendix, N° CCXCIV.

(b) Vide Appendix, N° CCXCV.

(c) Vide Appendix, ibid.
Read.

(1862)

Read, from Book 75, already delivered in, the following Extract of a Consultation of the 8th November 1775, beginning at Page 824 of the same Book.

“ Fort William, the 8th November 1775.

Secret Dept.
Wednesday.

“ At a Council; Present,
The Honble. Warren Hastings, Governor General, President;
Lieutenant General John Clavering,
The Honble. George Monson,
Philip Francis Esquire.

“ Received the following Letter from Mr. Bristow to the Governor General and Council at Fort William.

“ Honble. Sir and Sirs,
The Honble. Board are already fully convinced of the distracted State of the Nabob's Government. In the guaranteed Provinces, though the Brigade is upon the Spot, yet he is exceedingly ill obeyed, and in many Parts his Troops have been defeated, and only Seven or Eight Days he was obliged to dispatch Six Battalions to reinforce those on Command. (a)

(Signed at the End of the Letter)

“ Fyzabad,
11th October 1775.

“ John Bristow,
Resident at the Court of the Nabob of Owde.”

Read, the following Extract of a Letter from Mr. Bristow to the Governor General and Council at Fort William, from the same Consultation, beginning at Page 845 of the same Book.

“ Honble. Sir and Sirs,
“ Before I left Lucknow, Districts to the Amount of about Thirty Lacks a Year were assigned for the Payment of the Subsidy: The Aumils are mostly responsible Men, and the Lands chosen as conformable to the Honble. Board's Orders as Circumstances will admit. A great Deficiency must arise in the Nabob's Revenues; and therefore I shall find it necessary to have Districts to the annual Rent of Fifteen, if not Twenty more Lacks of Rupees, than the exact Amount of the Subsidy.” (b)

Read, a further Extract from the same Letter and the same Consultation, in the same Page.

“ In regard to Grain, I am very apprehensive the Season is so far advanced, as to make us despair of having any favourable Showers. Complaints come from all Quarters of the great Failure of the Crop; and under the present weak Administration, I fear there will be very terrible Effects felt.” (c)

Read, a further Extract from the same Letter and the same Consultation, beginning at Page 847 of the same Book.

“ I propose To-morrow to set off for Lucknow, and then expect to see some Measures adopted for regulating the Nabob's Affairs. It must be the English alone who do it. For since I last wrote the Honble Board, the Five Battalions under Buffum, who were with the Gossaynes, are arrived at Lucknow, having left their Station contrary to the positive Orders, both of the Nabob and Buffum. The Plea is Four Months Arrears of Pay. When the Nabob first heard the News of their having marched, he sent them a Lack of Rupees in Part. They refused to receive it, insisted upon the Whole, and came to Lucknow, with a declared Intention of obtaining it by any Means. I suspect they are connected with the other Battalions on the Spot: But this will prove to the Honble. Board, that my Journey to this Place was not unnecessary. (d)

(Signed at the End of the Letter)

“ John Bristow,
Resident at the Court of the Nabob of Owde.”

(Signed at the End of the Consultation)

“ Warren Hastings,
J. Clavering,
Geo. Monson,
Rich^d Barwell,
P. Francis.”

(a) Vide Appendix, N^o CCXCVI.
(b) Vide Appendix, ibid.

(c) Vide Appendix, ibid.
(d) Vide Appendix, ibid.

Read, from Book 75, already delivered in, the following Extract of a Consultation of the 9th of November 1775, beginning at Page 862 of the same Book.

“ Fort William, the 9th November 1775.

“ At a Council; Present,
The Honble. Warren Hastings, Governor General, President;
Lieut. General John Clavering,
The Honble. George Monson,
Rich. Barwell, } Esquires.
Philip Francis, }

Secret Dept.
Thursday.

“ Read the following Letter from Lieut. Col. Cummings to the Governor General and Council, dated Oct. 25, 1775.

“ Honble. Sir and Sirs,

“ The inclosed Papers are a Copy of a Letter I have just received from Mr. Bristow, with my Reply to it. I hope it will meet with your Approbation. The Brigade will be in Readiness to march this Evening, should the Intelligence I expect from Lucknow render such a Measure necessary: If the expected Mutiny is only a Plan of his, the Nabob's Troops, to extort their Arrears, I fancy they will proceed no farther than seizing his Person, till they can obtain Satisfaction in that Point, and that his Life will be in no Danger; but if the Scheme is laid by any of his Family, it is probable they will proceed to Extremity, and cut him off; and all Assistance from the Brigade will come too late. At any Rate not a Minute shall be lost; I will march the Instant Mr. Bristow informs me it is necessary, and consider with him in every Thing that may appear necessary for his Excellency's Safety, and the Good of the Service. (a)

(Signed at the End of the Letter)

“ John Cummins.”

Read, a further Extract from the same Consultation, beginning at Page 863 of the same Book.

“ Copy of a Letter from John Bristow Esquire, Resident at the Court of the Nabob of Owde, to Lieut. Col. Cummings, commanding the 2d Brigade.

“ Sir,

“ I have received your Letter of the 22d instant, informing me of your taking Charge of the Brigade.

“ In consequence of Inquiries I have made into the Designs of the Nabob's Troops, I understand for certain that they intend to make a Demand of their Arrears of Pay, and if he does not discharge the whole Amount, seize his Person: I have even heard this refractory Spirit has proceeded to such Lengths, that they threaten to make Attempts on his Life. I think it my Duty to inform you of these Circumstances, as I expect his Excellency will request the Assistance of the Company's Forces. The Minister is now at Byzabad, from whence I hourly expect his Arrival, when the Sepoys will commence their Operations. I had likewise accompanied him for the Purpose of procuring Money from the Begum, which we got to far as Fifteen Lacks of Rupees for the Nabob, but this is so small a Sum, considering his Monthly Expences, that it is impossible for it to serve for any other than a temporary Aid—It may quiet them a few Days, perhaps not at all; at any Rate a Disturbance will certainly be the Consequence, and for my Part, as we shall be circumstanced without Money or Resources, cannot think the Nabob in Safety.

“ In one Camp on the other Side of the River there are Ten or Eleven Battalions. In another, at Jellalabad, there are Five. These last are the Battalions who are under Buflant the Carnack, and stationed with the Gossaynes. They are come here contrary to the repeated Orders both of the Nabob and Buflant: It is easy to imagine what such Troops will do when disappointed of their Ends, for the Pretence of their Disobedience is Four Months Arrears, which it is very improbable they will get.

“ I arrived myself only last Night; but I will make further Enquiry, and if any Thing occurs write you fully To-morrow. In the Interim you may reflect on this Intelligence. (b)

“ I am, &c.

(Signed) “ John Bristow.

“ Lucknow,
24 Oct. 1775.

(Signed at the End of the Consultation)

“ Warren Hastings,
J. Clavering,
Geo. Monson,
Rich. Barwell,
P. Francis.”

(a) Vide Appendix, N° CCXCVII.

(b) Vide Appendix, ibid.

(1864)

Read, from Book 75, already delivered in, the following Extract of a Consultation of the 20th of November 1775, beginning at Page 930 of the same Book.

" Fort William, the 20th November 1775. "

Secret D. pt.
Monday.

" At a Council; Present,
(Lieutenant General John Clavering, President;
The Honble. George Monlon,
Richard Barwell,
and
Philip Francis, } Esquires.
The Honble. the Governor General absent.

" Copy of a Letter from John Bristow Esquire, Resident at the Court of the Nabob of Oude, to Lieutenant Colonel Cummings, commanding the 2d Brigade.

" Sir,

" Lucknow, 4th November 1775.

* See in Orig.

" This Day the Nabob and Murlezah Cawn made a formal Request that the Brigade should be relieved on the Spot where it now is; and on this Head I shall forward you a Letter from his Excellency making the * Respect directly to you.

" I understand his principal Reasons are that at the present Juncture his March to the Doab and Rohilcund is absolutely necessary, and that it might be attended with the worst Consequences if the Brigade was to move from where it is now, as he is persuaded it would be an Encouragement to his rebellious Governors and Zemindars, particularly to the Gossayne Rajahs, who at this very Time pay no Attention to his Excellency's Orders, shew him all Manner of Disrespect, are strengthening themselves on all Sides, and are in actual Rebellion.

" His Excellency further observes, that many ill disposed Persons in his Court and Government will take this Opportunity of publishing, that the going down of the Brigade is caused by a Breach between the Company and his Excellency, and that unless the Brigade remains where it is, there is the greatest Reason to believe that he cannot keep his own refractory Troops in any Order; in short, that they will not march or obey any Commands from him, unless they are awed by the Company's Forces.

" I further give it as my Opinion, that your Compliance with the Nabob's Request is indispensably necessary for his Service and Safety, as well as the Peace of the Country; and if you have the smallest Doubt about the Propriety of detaining the Brigade where it is, I will venture to take on myself all the Consequences, being convinced that it is fully consistent with the Letter of the Treaty subsisting between the Honble. Company and his Excellency. (a)

I am, &c.

(Signed) " John Bristow."

Read, also, a further Extract from the same Consultation, beginning at Page 929 of the same Book.

" Copy of a Letter from the Nabob Asoph ul Dowlat to Col. Cummings, received the 5th of November, and inclosed in his Letters to the Board of the same Date.

" Being on the Point of marching to that Part where you are, I have learnt from Mr. Bristow that the former Brigade is to be changed at Illahabad, and another to come there. This will be productive of great Disadvantage to my Affairs, for the great Number of disaffected and evil minded Men, who are spread over my Country, renders my March to that Part absolutely necessary. The Annals of that Quarter neither pay their Rents nor attend to my Orders, and the Continuance of the Brigade on the Borders of the Soubahs, which are under the Protection of the Company, is absolutely necessary for the Preservation of my Authority therein. (b)

(Signed at the End of the Consultation)

" J. Clavering,
Geo. Monlon,
Rich. Barwell,
P. Francis."

Read, from Book 75, already delivered in, the following Extract of a Consultation of the 9th of November 1775, beginning at Page 869 of the same Book.

" Fort William, the 9th of November 1775.

" At a Council; Present,
The Honble. Warren Hastings, Governor General, President;
Lieut. General John Clavering,
The Honble. George Monlon,
Richard Barwell, } Esquires.
Philip Francis, }

" Resolved, That the following Letter be written to Mr. Bristow.

(a) Vide Appendix, N° CCXCVIII.

(b) Vide Appendix, ibid.

" To Mr. John Bristow.

" Sir,

" By a Letter from Colonel Cummings, covering a Copy of One which he had received from you, we have Reason to be much alarmed for the Nabob's Personal Safety, from the mutinous Designs which appear to have been formed among his Troops. We have approved of the Steps taken by Colonel Cummings, for holding the Brigade in Readiness to march at the shortest Notice, on the Occasion furnished by your Letter, and have directed him immediately to obey any Requisition of the Nabob for its Presence, and to remain in his Dominions with the Troops, as long as these alarming Appearances shall continue. The Urgency of the Occasion, we judge, has rendered these Orders necessary; but we hope that the Second Brigade will be detained no longer than this Necessity shall continue, as it has been ordered to march down to Illahabad, in order to be relieved by the Third Brigade, which has been directed to proceed to that Place to effect the Relief of the Second. We desire that you will explain this Circumstance to him, as being a Rule in our Service, lest he should be under any Apprehension that we mean to withdraw our Forces from his Service at such a critical Juncture.

" We are surprized that you have not advised us of Occurrences of so extraordinary and alarming a Nature as those communicated by your Letter to Colonel Cummings; and we desire that you will write to us daily, as long as such Alarms continue. (a)

" Fort William,
9th Nov. 1775.

" We are, &c.
(Signed) " Warren Hastings,
&c. & Council."

Read, from Book 75, already delivered in, the following Extract of a Consultation of the 20th of November 1775. beginning at Page 917 of the same Book.

" At a Council; Present,
Lieutenant General John Clavering, President;
The Honble. George Monson,
Richard Barwell,
and } Esquires.
Philip Francis,
The Honble. the Governor General absent.

Secret Dept.
Monday.

Received Following Letters from Mr. Bristow.

" To the Honble. Warren Hastings Esquire, Governor General, and the Members of the Honble. Supreme Council at Fort William.

" Honble. Sir and Sirs.

Lucknow, Nov. 3, 1775.

" On my Return to Lucknow, I found the Nabob's Army in greater Confusion than ever. The Five Battalions who had been with the Nabob had left their Station contrary to the repeated and positive Orders both of the Nabob and of his commanding Officer. They have acted thus on Pretence of not receiving their Arrears of Pay. The Nabob had sent them One Lack of Rupees in Part, which they refused to take, insisted upon the Whole, and avowed their Intentions of getting their Due by any Means: They even carried this refractory Spirit so far as to lay Plans to seize the Nabob's Person, if they had not Payment made them. The whole Sepoy Corps have also entered into Engagements never to suffer Severity to be used to any of them, and if the Nabob should dismiss them his Service, they have agreed not to part with their Arms. In regard to the Matchlockmen, the Sepoys declare they are very ready to support the Nabob against any Combinations or Designs they may entertain detrimental to his Authority. What with the Money procured from the Begum, and some small Sums collected from the Country, the Nabob has managed to satisfy the Sepoys for the present, but when these Sums are once expended, I am convinced the Revenues from the Country during the ensuing Season will not suffice for his Excellency's Expences upon the present Establishment; knowing this I have recommended it to Merteza Cawn to advise the Nabob to dismiss his mutinous and useless Troops, and only keep such as are obedient. He promised me he would do it. For my Part, I think the only Mode he can effect it by, will be to join the Brigade, and make a severe Example of the Ring-leaders; but on this Head I am waiting his Determination, which I expect immediately: Unless the Nabob will consent to some spirited Measures, I am really apprehensive of his Life, for as a respect for his Person is lost, I think it probable the Rabble, by whom he is surrounded, will not stop at any Thing. In Sujah Dowlah's Time frequent Disturbances and Mutinies happened in his Army. He generally punished the Ringleaders, though not so severely as to prevent Repetitions of the like Conduct, till urged and even almost forced to it by Sir Robert Barker: At Shawabad, he made such Examples as effectually put a Stop to all Irregularities for the Remainder of his Life.

(a) Vide supra Appendix, N° CCXCVII.

" Murtezzah Cawn, when at Fyzabad, repeatedly confessed to me there was no Order kept up, and that he did not think himself safe: He said he would, on his Arrival at this Place, advise the Nabob to request the immediate Assistance of Two Battalions of English Sepoys. At my last Interview with the Nabob after my Return, he expressed his Desire for the Second Brigade to be relieved where it is now cantoned. Murtezzah Cawn not being then arrived, the Nabob deferred making a Request of it, until he should be able to see and consult with him. It is now Six or Seven Days since. Murtezzah Cawn is here; and I have been urging him to get the Nabob to come to some Determination about the Mode of regulating the Disorders which have crept into the Army. He must necessarily come to some Resolution To-morrow, as the Second Brigade will otherwise march. I have informed Lieut. Colonel Cummings of all these Circumstances, and he has expressed his Readiness to assist the Nabob.

" I have, &c.

" John Bristow,
Resident at the Court of the Nabob of Owd."

" Lucknow, November 4th 1775.

" To the Honble. Warren Hastings Esquire, Governor General, and the Members of the Honble. Supreme Council at Fort William.

" Honble. Sir and Sirs,

" I addressed the Honble. Board Yesterday. The Nabob having this Day made a very particular Request, that the Second Brigade should be relieved where it is now cantoned, I have informed Lieut. Colonel Cummings of it, and gave it as my Opinion, that his Excellency's Request ought to be complied with; offering, at the same Time, to take the Consequences of this Measure upon myself, in case the Honble. Board should disapprove of it.

" The Nabob has in his Conduct, since his concluding the Treaty of Alliance betwixt him and the Honble. Company, in every Instance studiously attended to the Advice and Inclinations of the Honble. Board. In regard to the Terms of the Treaty, he has, in every Article, complied with them to the utmost of his Ability. All Europeans are dismissed his Service, and forbid to reside in his Country. The Nabob could not possibly pay the Whole of the Debt due to the Company. But I humbly submit it to the Consideration of the Honble. Board, whether he has not furnished in the distressed State of his Government, altogether an immense Sum, being since my Arrival Forty Lacks, including the Money from the Begum. The Honble. Board will be the more fully convinced of this Circumstance, on being informed, that when I returned from Fyzabad, I enquired particularly into the State of the probable Collections of the Lands assigned for the Payment of the Subsidy; and I found, out of a Revenue of Thirty Lacks a Year set apart for this Purpose, only Fifteen or Twenty Lacks at the most could be realized. On representing this Matter, his Excellency very readily consented to assign additional Lands proportionable to the Sums required; but if such a Deficiency arises on the best Districts, a much greater must arise on the bad ones.

" If the Nabob does thus on all Occasions, not only testify his Inclinations, but in his Conduct proves his Sincerity in adhering to his Alliance with the Company, I hope I shall be excused by the Honble. Board, in having in One Instance given my Opinion, and even taken the Consequences of their Displeasure upon myself, in recommending a Measure contrary to their positive Commands: The absolute Necessity of the Case, the Nabob's very pressing and particular Request, its being indispensably necessary for his Service and Safety as well as the Peace of the Country, will I hope excuse me.

" The chief Reasons his Excellency gives, are that his March at the present Juncture into Rohilcond and the Deabe is absolutely necessary to secure him the Revenues of the ensuing Season; that it might be attended with the worst Consequences if the Brigade was to move below where it is now cantoned, being persuaded it would prove an Encouragement to his rebellious and refractory Aumils, particularly to the Gossaynes, who at this very Time pay no Attention to his Order, shew him all Manner of Disrespect, are strengthening themselves on all Sides, and in Fact are in an actual State of Rebellion. His being to march to those Parts of the Country, renders the present Station of the Brigade of great Moment, as the very Name of its being on the Spot awes his Subjects; and though it is not to pass the Boundaries, it is still considered as a great Check to their Designs. In the Course of my Conversation with his Excellency on this Subject, I intimated to him, that Lieutenant Colonel Cummings had informed me, that if the Brigade once had moved, nothing but an actual Mutiny could authorize his returning, and that the Relief would take up Two Months. His Excellency hereupon observed, that the Brigade could then be of no Service to him at Allahabad, as he wanted it as much to restrain his mutinous Troops as his refractory Aumils. He further said, many ill disposed Persons in his Court and Government might likewise take this Opportunity of publishing, that the going down of the Brigade is caused by a Breach between the Company and him, and that unless it remains where it is, there is the greatest Reason to believe he cannot keep his own Troops in any Order; in short, that they will not march or obey any Commands from him, unless they are awed by the Company's Forces, which ought to be as near the
Parts

Parts of the Country he purposes to march to as possible. If this be not the Case, I should humbly conceive it would be better that he should continue in the Error, even supposing it one, as of the greater Consequence—he considers the Company's Alliance the more to their Honour and Advantage. Furthermore the Nabob observes, that he was entitled by the Letter of the Treaty to the Assistance of a Brigade, and that he could never call for it upon a greater Emergency; that the Safety of his Dominions and even his Life depended on it.

• “ The Nabob made a Request to Lieutenant Colonel Cummings in Writing, and has wrote the Honble. the Governor General fully on this Subject. (a)

“ I am, &c.

“ John Bristow.”

Read, also, a further Extract from the same Consultation, beginning at Page 926 of the same Book.

“ Letter to John Bristow Esquire, Resident at the Court of the Soubah of Owde, from Col. Cummings.

“ Sir,

From my own Observations when at Lucknow, and your Letters since I received the Command, I am convinced * Command I am convinced, the Nabob cannot be easy, or even in Safety, till a Division of his Troops is effected. Whilst Seventeen Battalions, with a large and well mounted Artillery with them, continue in One Body (conscious of their own Strength) they will despise his Orders, and though they may continue quiet for the present, will defer their Scheme no longer than till the Brigade has got Forty or Fifty Co's below Lucknow, which, supposing I should immediately return on receiving an Express from you, would give them Time sufficient to execute any Plan they have formed, or even to form and execute what they have not yet projected. * Sic in Orig.

“ My March would be but slow, not exceeding Nine Co's a Day at farthest, as I could not, with any Degree of Propriety, leave the Artillery and Regiment behind me; and returning with the Brigade, would break in so far on the Plan of Relief laid down by the Board, that I apprehend the Case must be very urgent indeed to meet with their Approbation.

“ I repeat to you, that a Division of the Forces now at Lucknow must be effected, and I would recommend to you to enforce the Necessity of this to Mukhur ul Dowlah on his Arrival.

“ I am afraid the Scheme of desiring him to give out that a large Sum is to follow him from Fysabad, will have little Effect, as it is well known, even in his Camp and Bazar, what the Amount of what he received there is, and that the Reluctance with which the Begum parted with it, gives little Hopes more can be expected, without violent Means being used by the Nabob to obtain it from her. (b)

“ I am, Sir, &c.

“ John Cummings.

(Signed at the End of the Consultation)

“ Cantonments,
29th October 1775.

“ J. Clavering,
Geo. Monson,
Rich. Barwell,
P. Francis.”

Read, from Book 6, already delivered in, the following Extract of a Letter from the Governor General and Council at Fort William to the Court of Directors, dated the 20th of November, 1775.

“ Honble. Sirs,

“ We informed you, in our Letter of the 3d August, that we had rejected the Proposal of Mr. Bristow, to take Assignments from the Nabob on certain Districts for the Payment of the Subsidy to the Brigade. Whilst there remained the least Probability of obtaining ready Money, we thought it to be preferred to the precarious Receipts of Money arising from the Revenues of Lands; but we perceived the distressed State of the Nabob's Finances, and that there could be no other Means of securing a Fund for the Brigade, we authorized Mr. Bristow to accept them on Lands contiguous to the Situation of the Brigade, or to Chunar, but to be particular in his Choice of them, and to take Care to free them from prior Mortgages. We are informed that he had received Tuncaws on Districts valued at Thirty Lacks per Annum, the Aumils of which were ordered to account for the Rents only to the Company; but understanding the Collections would fall considerably short of that Amount, he has obtained a further Assignment to the Value of about Fifteen Lacs. We expect from him soon a particular Account of the Situation and net Amount of the Collections on these Lands. (c)

(Signed at the End of the Letter)

“ Fort William,
the 20th Nov. 1775.

“ Warren Hastings,
J. Clavering,
George Monson,
Rich. Barwell,
P. Francis.”

(a) Vide supra Appendix, N° CCXCVIII.

(b) Vide Appendix, ibid.
21 P

(c) Vide supra Appendix, N° IX.
Read,

Read, from Book 78, already delivered in, the following Extract of a Consultation of 29th November 1775, beginning at Page 10 of the same Book.

“ Fort William, 29th November, 1775.

“ At a Council, Present,
The Honble. Warren Hastings, Governor General, President ;
Lieutenant General John Clavering,
The Honble. George Monson,
Richard Barwell, } Esquires.
Philip Francis, }

“ Extract of a Letter from Mr. Bristow to the Governor General and Council at Fort William.

“ Honble. Sir and Sirs,

Mr. Bristow.

“ I addressed the Honble. Board on the 6th instant, since when the Nabob having maturely weighed the bad Consequences which will inevitably ensue, if Order be not introduced into his Army, he requests of me to apply to the Honble. Board for their Assistance in effecting this very important Measure.

The Mode he particularly points out, is to beg the Favour of the Honble. Board to furnish him with English Officers to Six Battalions of Sepoys, as well as for a Corps of Artillery and Cavalry in Proportion, which would at all Times be a sufficient Check on his other Troops, and serve to strengthen his Government. He has not mentioned his Desire for any particular Arrangement of this Corps, which he submits entirely to the Consideration of the Honble. Board, and engages to have the Pay regularly discharged.

“ The Honble. Board are best able to judge of the Expediency of this Measure. I humbly conceive it would be greatly to the Advantage of the Company, as a very considerable Force would be hereby obtained ; for although this Corps is to be paid by the Nabob, and maintained for the Support of his Government, yet it may be considered as subordinate to the Honble. Board, whenever they may please to make it so ; at the same Time, that Order and Regularity will be thus introduced, the Nabob will be disabled from forming Projects to the Detriment of the Company, and, in case of Accidents, the Succession will be easily secured in the Line the Honble. Board may judge most advisable for the Peace of Hindostan, which of all other Points is the most material, as an ambitious and ill disposed Prince in the Possession of these Subahs (collecting above three Crores of Revenues a Year, and maintaining One hundred thousand fighting Men), might prove dangerous to the Company's Existence.

“ I think also from his Excellency's particular Disposition, that if ever such severe Examples were to be made of the Ringleaders of his mutinous Troops, by the Assistance of the Brigade, that whenever we were again separated, the same mutinous Spirit would soon revive, if only under their native Officers.

“ The Minister has for some Time past maturely reflected on the general Confusion in the Country. It appears evidently to have arisen from the following principal Causes.

“ 1st. The intrusting of large Governments in the Hands of Individuals, whereby they acquire an independant Authority, especially as they nominate their own Naibs and inferior Officers, who refuse Obedience to the Nabob's Perwannahs unless signed by their immediate Superior.

“ 2d. The suffering of these Individuals to maintain a Body of Troops for the enforcing of the Collections which are allowed under the Head of Seebundy. There are a mutinous ill disposed Rabble ; and, in Time of War, or under a weak Government, place the Aumils above Restraint, for Instance the Gossains : I am sure the Nabob does, at this very Time, not pay less than 70,000 Men for this Service, whereby he in fact maintains two military Corps ; a certain Number is doubtless necessary for the Collections, such as Peons, Burgundosses, &c. They though, whenever the Nabob's Authority is well established, may in my Opinion be reduced to a Fourth of the present Seebundy, or rendered almost wholly unnecessary by a judicious Disposition of his disciplined Forces. (a)

(Signed at the End of the Letter)

“ Lucknow,
7th November 1775.

“ John Bristow,
Resident at Owde.”

Read, also, the following Extract of the Plan proposed by Murteza Cawn, inclosed in Mr. Bristow's Letter, from the same Consultation, beginning at Page 21 of the same Book.

“ The great Distress under which the Country labours, is owing to the Establishment of Two Kinds of Troops, viz. The Government and the Sebundee. When any Commotions arise on the Borders, the Aumils of the Mofussil, depending on the Sebundee Forces for their Protection, take Advantage of the Troubles to withhold the Government's Money, and to withdraw themselves from their Obedience. (b)

(a) Vide Appendix, N° CCXCIX.

(b) Vide Appendix, ibid.

Read, also, a further Extract, from the same Consultation, of a Letter from Mr. Bristow to the Governor General and Council at Fort William, beginning at Page 24 of the same Book.

" Honble. Sir and Sirs,

" I addressed the Honble. Board on the 11th instant. In our March to this Place, Lieut. Colonel Cummings met us; and the Minister conferred, in an Interview the Colonel and I had with him to Day, that the Number of Troops the Nabob entertained exceeded his Abilities to pay. He said it is true there is nothing due to them at present, but there will be in a short Time, and then he thinks neither the Nabob's nor his own Life safe. It was determined the mutinous and bad Part of the Nabob's Army ought to be dismissed; but as the executing this Step could not possibly be effected by the Nabob, without the Assistance of the Brigade, Merteza Cawn declined advising the Nabob to make any Request to the Colonel, until our Arrival at Mindigaut, which I expect will be the Day after To-morrow. In the Interim, both Merteza Cawn and the Colonel will deliberate upon the Mode of executing this Measure without Bloodshed, if possible. After the Association entered into by the Sepoys, both Conduct and Secrecy are requisite. I, for my Part, have great Hopes of Success, as I observe an Unsteadiness amongst the Nabob's Troops, which gives me good Grounds to imagine that they will submit, when the Nabob appears resolute. To act with Spirit now is more necessary than ever, as Bassant's Corps publicly declared at Lucknow, that they would not fight against the Gossames, with whom they had been stationed for a long Time.

" It was in our Interview to Day with Murteza Cawn, fully explained to him by Lieut. Colonel Cummings, that, let the Nabob's Situation in the Donub be ever so distressing, he could not, on any Consideration, cross the River to his Assistance. The complying with his Excellency's Request for the Relief of the Brigade on the Spot where it was cantoned, he was not to consider as a Precedent that the Orders of the Honble. Board could be delayed in their Execution. His Inducement was, the knowing how much they had his Safety and the Protection of his Government at Heart, and that he had acted on this Occasion from a full Conviction of the Necessity of the Case; as it was evident his Excellency's March, with a Body of Troops, to oppose a Rebel, Part of which Troops, and that the most formidable, had declared they would not act against that very Rebel, proved he could not well be more critically situated.

" The Colonel further observed, that should the Honble. Board disapprove of the Step he has taken in Consequence of the Nabob's Request, that then the Brigade, whatever the Circumstances might be, must, at all Events, march, and cannot be detained a single Day. We also jointly recommended that the Nabob must, whatever Resolution he adopts, be firm and steady in the Execution of it; for both the Colonel's Orders, and the Declaration made by me in the Behalf of the Company on the concluding of the Treaty, since confirmed by repeated Retulals from the Honble. Board, must entirely cut off all Hopes to his Excellency of the Guarantee of the Doab and Rohilcund. (a)

(Signed at the End of the Letter)

" Assewan,
13th Nov. 1775.

" John Bristow,
Resid^t at Owde."

Read, also, a further Extract from the same Consultation, beginning at Page 36 of the same Book.

" The following Letter is just received from Lieut. Colonel Cummings.

" Honble. Sir and Sirs,

" I left the Cantonments the 12th instant, and Yesterday met the Nabob at Mohan, where I had an Interview with him. Though his Troops for the Present are in some Degree quiet, and have consented to march with him to Mindy Gaut, he is by no Means eased of his Fears and Anxiety; and indeed, it appears to me, the Calm is only temporary, and that the same refractory Spirit still subsists amongst his Sepoys. I have given it as my Opinion (with which Mr. Bristow coincides) that a Reduction of Part of those Troops is absolutely necessary for the Nabob's Safety. The Minister has not yet, however, come to any Resolution what Advice he should give his Excellency, with regard to the Measures proper to be taken for that Purpose. As soon as he has, I shall do myself the Honour of making the Honble. Board acquainted with it. (b)

" Camp at Assewan,
14th November 1775.

" I have, &c.

(Signed) " John Cummings."

(Signed at the End of the Consultation)

" Warren Hastings,
J. Clavering,
Geo. Monson,
Rich^d Barwell,
P. Francis."

(a) Vide Appendix, N^o CCXCIX.

(b) Vide Appendix, *ibid*.

(1870)

Read, from Book 78, already delivered in, the following Extract of a Consultation of the 6th of December 1775, beginning at Page 65 of the same Book.

" For William, 6th Decem. 1775.

Secret Dept.
Wednesday.

" At a Council; Present,
The Honble. Warren Hastings, Governor General, President;
Lieutenant General John Clavering,
The Honble. George Monson,
Richard Barwell, } Esquires.
Philip Francis, }

" Read, the following Letters from Mr. Bristow.

" Honble. Sir and Sirs,

" I address'd the Honble. Board on the 13th instant, from Assewan, when I mentioned the Resolution the Minister had taken of advising his Excellency to disband the mutinous and bad Part of his Army. This Measure has become more necessary, by the Association among the Troops growing daily stronger, and from certain Information that their Intentions are immediately on the Nabob's crossing the River, when they think they shall be out of the Reach of the Brigade, to demand Thirteen Rupees a Month Pay, and a Donation which was formerly promised them. The Nabob is utterly unable to comply with their Demands, having not more than One Lack of Rupees in his Treasury, and none but possible and very uncertain Resources from the Collection of his Revenues. The Nabob says, that he can depend on the Cavalry and Matchlockmen standing firm to him: That Eleven Battalions of Sepoys have crossed the Ganges. These have been lately principally influenced by the Corps which remain on this Side the River, and is known by the Name of Buffant's Brigade, now consisting of Six Battalions. They are the oldest and most formidable Body of Sepoys the Nabob has; and their Conduct in marching from their Station contrary to his Excellency's Orders, for which no Censure has ever been passed on them, so confirms them in their mutinous Disposition, that nothing but totally disbanding them with Ignominy, can ever introduce Order into the Army, and the Nabob and his Minister think no Opportunity can be more favourable than the present; that the very Corps he means to disband is separated from the Rest by the River, and the Boats so placed, that it will be impossible for them to join. I, in my humble Opinion, should conceive this Measure to be absolutely necessary; for as the Nabob to march with this disobedient Army, I do not see that any Thing but Confusion could possibly ensue, and instead of settling the Doab and Rohilcund, it would be only exposing his Person, and the Peace of the Country.

" Economy must be the only Means by which the Nabob will be enabled to fulfil his Engagements to the Company, and support his own Government; any Delay, therefore, in disbanding these dangerous Troops, can but tend to his Ruin.

" Notwithstanding the Representation of his Minister, the Nabob, on his Arrival here, was quite averse to put this Measure into Execution, until the End of the Campaign, when he would disband One Battalion, or his whole Army, if the English should attack. He appeared so set against it at that Time, that both Colonel Cummings and I thought it prudent not to advise him to it, though we feared the Mischief might be done, and the Remedy out of Reach, and imagined he had formed his Resolution; but this Morning, both his Excellency and his Minister requested it in the most urgent Manner, because they said Buffant's Corps had already begun to create Disturbances, and they saw no End to their Embarrassments.

" A Copy of the Letter I wrote to Lieut. Colonel Cummings, enclosing the Nabob's Request, I herewith forward. (a)

" Camp at Mindigaut,
21st Novr. 1775.

" I have, &c.
(Signed) " John Bristow."

Read, also, from the same Consultation, Copy of a Letter from the Resident at the Court of the Nabob of Owde, to the Commanding Officer of the Second Brigade, dated 21st November 1775, beginning at Page 68 of the same Book.

" Sir,

" I herewith enclose you a Letter from the Nabob, requesting you will assist him in disbanding a Part of his disaffected Troops, who, it seems, are resolved to make new Demands on him on crossing the River.

" I read his Excellency's Letter before he sealed. The Substance is as follows:

" That the Company have taken upon them the Guarantee of the Countries of Owde, Kera and Allahabad, and that the Friendship and Amity subsisting between him and the Company exceed Description. His Affairs are at present in much Confusion, and his Troops disobedient to

(a) Vide Appendix, N° CCC.

his

his Orders, in particular the Sepoys, who are at this very Time ready to mutiny. He therefore requests of you to march To-morrow Morning to his Camp, with the Brigade, and if these Troops will lay down their Arms and Accoutrements, and leave his Service, he will discharge their Arrears, and permit them to go to any Part of his Dominions; but if they will not peaceably submit to his Commands, he will then ask of you to assist him with the Company's Troops: In case you do not effect his Business now, his Country cannot be settled, and his Life will be endangered; and he considers the Safety and Honour of himself and the Company as mutual, and therefore hopes you will not fail to march the Brigade, for it will not admit of Delay, as there are Boats enough for the Troops he means to disband of Bussant's Battalions to cross the River. They insisted upon having them To-day, though he managed to put them off until To-morrow, when they will wait no longer, but intend to make a Disturbance if they have them not. In short, should he not adopt this Measure now, great Troubles will ensue hereafter. (a)

A true Copy.

(Signed)

" John Bristow."

Read, also, a further Extract of a Letter from Mr. Bristow to the Governor General and Council at Fort William, from the same Consultation, beginning at Page 69 of the same Book.

" Honble. Sir and Sirs,

" I addressed the Honble. Board Yesterday relative to the disbanding Six of His Excellency's mutinous Battalions. This Morning Lieutenant Colonel Cummings, agreeable to the Nabob's Request, marched his Brigade opposite to the Ground on which Bussant's Corps was encamped. The Sepoys had already seized the Boats, and crossed One Battalion; the other Five remained at this Side of the River, and surrendered their Guns, Arms, and Accoutrements, to Lieutenant Colonel Cummings, without the firing of a single Shot, upon the Condition of his being Security for the Discharge of their Pay, which was immediately issued to them: The Commandant of the other Battalion likewise has agreed to come to this Side of the River To-morrow, and surrender upon the same Terms. The Men who were disbanded are at Liberty to reside where they please, and the Nabob engages not to touch their Lives or Property. Mr. Bristow

" His Excellency, on the Sepoys having seized the Boats, ordered the Park of Artillery, his Cavalry or Matchlockmen, to draw up against them to prevent their crossing, as the Brigade was not then arrived, being very early in the Morning. The Sepoys on the other Side of the River immediately formed with an Intention to come to the Support of those on this, and even pointed their Guns against his Excellency's Tents; but the Brigade arriving shortly after, they instantly retired to their Quarters; and on the Nabob's sending them a Message, informing them that it was his Pleasure to retain them in his Service, and that they had nothing to apprehend, they returned him a very submissive Answer, professing their great Respect for his Person and Government, and that he had no Occasion to have called for the Assistance of the Brigade, as they themselves were ready to quell the Mutineers.

" I wish much that the Nabob may enter upon this Expedition of the Doab, with some Authority over the Troops he carries. His Success this Day gives me great Hopes of the future. I shall in a very few Days be able to judge of the Temper of the Nabob's Army after this Event, when I will write the Honble. Board fully. (b)

" Mindigaut,
22d Nov. 1775.

" I have, &c.

(Signed) " John Bristow.

(Signed at the End of the Consultation)

" Warren Hastings,
J. Clavering,
Geo. Monson,
Rich^d Barwell,
P. Francis."

Read, from Book 78, already delivered in, the following Extract of a Consultation of the 18th of December 1775, beginning at Page 357 of the same Book.

" Fort William, the 18th of December 1775.

" At a Council; Present,
The Honble. Warren Hastings, Governor General, President;
Lieutenant General John Clavering,
The Honble George Monson,
Richard Barwell, } Esquires.
Philip Francis, }

Secret Dep^t.
Monday.

Read, the following Letter from Mr. Bristow.

" Honble. Sir and Sirs,

" Dismission from his Excellency's Service is a severe Punishment. His Sepoys receive Nine Rupees per Month, besides their Coats, a Livelihood they can hardly acquire by Labour, or ob-

(a) Vide Appendix, N^o CCC.

(b) Vide Appendix, ibid.

tain from any other Power. That there was no Command kept up I am not surpris'd, because the Nabob did not support the Officers who were ill-treated in attempting to enforce his Authority. The Commandants represented the Want of Subordination was principally owing to this Cause, as many of them had been frequently beat, and confus'd by their own Sepoys, and no Punishment inflict'd on them; on the contrary, Presents have been made to the Mutineers. I likewise know of Instances when the Officers appointed by the Nabob have been rejected by the Sepoys, and he has in consequence plac'd Men of their own chusing. In my humble Opinion, from his Excellency's Disposition the Discipline of his Army will ever revert to this State, when he may be deprived of the Assistance of the Brigade, and Native Officers alone command his Battalions. (a)

(Signed at the End of the Letter)

" Myndy Gaut, 28th Nov. 1775.

" John Bristow.

(And at the End of the Consultation)

" Warren Hastings,
J. Clavering,
Geo. Monson,
R. Barwell."

Read, from Book 78, already delivered in, the following Extract of a Consultation of the 8th of January 1776, beginning at Page 544 of the same Book.

" Fort William, the 8th of January 1776.

" At a Council; Present,

The Honble. Warren Hastings, Governor General, President;
Lieutenant General John Clavering,
The Honble. George Monson,
Richard Barwell, } Esquires.
Philip Francis, }

" Received the following Letter from Mr. Bristow to the Governor General and Council at Fort William.

" Honble. Sir and Sirs,

" Mahoob Ally Cawn, the Nabob of Corah, is suspected by many People to be disaffected to the Nabob. His Excellency himself and the Minister say, they can depend upon his Attachment, but he entertains a constant Correspondence with the Gossanes; and Bundle Cund Raja's talks of crossing the River, instead of meeting the Nabob, and is fortifying a Place in his District, strong by Situation, called Behaadeh: His Troops are attached to him, and I know, in a Mutiny that happened at Rajgyr Gaut, that he underhand encouraged the Ring-leaders, and was indirectly accessory to the * Entrance of the Pay of the Matchlockmen. (b)

(Signed at the End of the Letter)

" Camp near Ferokabad,
Dec. 13th 1775.

" John Bristow,

Resident at the Court of the Nabob of Owde.

(And at the End of the Consultation)

" Warren Hastings,
J. Clavering,
Geo. Monson,
Rich. Barwell,
P. Francis."

Read, from Book 101, already delivered in, the following Extract of a Consultation of the 7th of February 1776, beginning at Page 217 of the same Book.

" Fort William, 7th of February 1776.

" At a Council; Present,

The Honble. Warren Hastings, Governor General, President;
Lieutenant General John Clavering,
The Honble. George Monson,
Richard Barwell, } Esquires.
Philip Francis, }

" Received the following Letter from Mr. Bristow.

" Honble. Sir and Sirs,

" The only Quarter from which there can be the least Apprehension is the Gossaynes, who are both arrived in Camp at the Nabob's Summons. His Excellency has demanded an Account

(a) Vide Appendix, N° CCCI.

(b) Vide Appendix, N° CCCII.

Secret Dept.
Monday.

Secret Dep.
Wednesday.

(1873)

of their Administration. By their own Statement they make out that they advanced 17 Lacks more than they collected; but by the Nabob's Statement they owe above Ten. Both his Excellency and Minister are sensible of the Views of the Gossaynes, and fear them, but are ashamed to acknowledge it, and whenever I had the Honour to converse with them on this Subject, his Excellency, in particular, declared the absolute Necessity of displacing them, and that he will do it; if to have a proper Effect, it should be immediately, or the Rubby Harvest will be collected by the Gossaynes, and not a single Rupee come into the Nabob's Treasury. His Excellency thinks he can get them to pay a specific Sum by Way of compromising all Differences. I believe they will hardly comply but on Condition of being continued, and upon Terms very disgraceful to the Nabob, and hurtful to his Authority. (a)

"Camp near Etawa,
26th January 1776.

(Signed at the End of the Letter)

" John Bristow,
Resident at the Court of Owde.

(And at the End of the Consultation)

" Warren Hastings,
J. Clavering,
Geo. Monson."

Read, from Book 101, already delivered in, the following Extract of a Consultation of the 19th February 1776, beginning at Page 303 of the same Book.

" Fort William, 19th February 1776.

" At a Council; Present,
The Honble. Warren Hastings, Governor General, President;
Lieutenant General John Clavering,
The Honble. George Monson,
Richard Barwell, } Esquires.
Philip Francis, }

Secret Dept.
Monday.

" Read the following Letter from Colonel Stibbert to Mr. Bristow.

" Sir,

" The little Regard that is paid to his Excellency's Authority, and the distracted Situation of his Revenues, certainly calls loudly for a Remedy; and I agree with you in hoping it will be effected by the Appointment of British Officers to his Troops, the only Measure that undoubtedly could have been adopted for the Security of his Revenues, and the Peace and Tranquillity of his Country. (b)

(Signed at the End of the Letter)

" The 13th January 1776;

G. Stibbert.

(And at the End of the Consultation)

" Warren Hastings,
J. Clavering,
Geo. Monson,
Rich^d Barwell."

Read, from Book 101, already delivered in, the following Extract of a Consultation of the 26th February 1776, beginning at Page 337, of the same Book.

" Fort William, 26th February 1776.

" At a Council; Present,
The Honble. Warren Hastings, Governor General, President;
Lieut. General John Clavering,
The Honble. George Monson,
Richard Barwell, } Esquires.
Philip Francis, }

Secret Dept.
Monday.

" Received the following Letter from Mr. Bristow to the Governor General and Council at Fort William, dated Camp near Etawa, February 12th 1776.

" Honble. Sir and Sirs,

" Notwithstanding I have so often addressed the Honble. Board on the distracted State of the Nabob's Affairs, I am sorry to say, they still wear an unfavourable Aspect; at the same Time I entertain great Hopes of their mending. In explaining his real Situation at this Juncture, I shall

(a) Vide Appendix, N° CCCIII.

(b) Vide Appendix, N° CCCIV.

state, without Reserve, some Facts relative to the Nabob, both in his public and private Character.

" His Excellency is juvenile in his Amusements, volatile, injudicious in the Choice of his Confidants, and so familiar in his Conversation, as to throw aside the Sovereign, and admit his Favourites to a Freedom destructive to all Subordination, and a Cause for the Inattention paid by them to his Commands. He frequently passes whole Days in Dissipation, and is of late much given to Liquor; for I have known him to make himself and his Favourites, and even his menial Servants, indecently drunk. By this Mode of passing his Time, he can have little Leisure for Business, and, indeed, he hardly attends to any, excepting when I wait upon him on the Company's Affairs; and then I am generally referred to his Minister, to whom, and the other Favourites, he confides the entire Charge of his Government.

" The Men constantly about his Person are Murtehzeah Cawn, Javo Lole, Sowba Sing, Noway Sing, Bowanny Sing, Mooty Sing, and Holafs. The first of these in Rank, Murtehzeah Cawn, placed the others with the Nabob on his Accession, as his Dependants, to promote his own Views. Javo Loll, a Person of little Knowledge, low Birth and Education, by Adulation, and an easy Compliance with his Excellency's Foibles, gained an Ascendancy over him, obtained great Appointments and Commands. The others were originally Sepoys, and upon Murtehzeah Cawn's Plan, intended as his Excellency's Orderlies; but from being constantly about him, they also got highly into Favour, and now enjoy Titles, large Allowances, command Bodies of Troops, and are considered as the Persons to succeed to all Vacancies in the Military Line. They are known by the Name of Tellinga Rajahs. And the Introduction of Persons to the Nabob, and many Matters of Consequence frequently pass through this Channel. I therefore leave it to the Honble. Board to determine on the Characters which must surround this Court. Javo Loll in particular, and all these Men, have stepped beyond the Line originally drawn for them. Still Murtehzeah Cawn enjoys the Nabob's Confidence, fills the higher Offices of State, and the others the inferior ones. He considers them as a Party against him. They really do counteract him, and are laying Plans for his Ruin. There being amongst them not One Man of Ability or Knowledge, they were at a Loss to detect any Peculations and Misdemeanors Murtehzeah Cawn might have been guilty of. Thus circumstanced, they looked for a Person capable of such a Task, but who would not overstep their own Influence. Benny Behadre, who, shortly after the Battle of Buxar, had been made the late Vizier's Prime Minister, was the Person pitched upon, and called out of Disgrace from Fyzabad. He is * and intelligent Man; but being blind, is thought by the Party to be unlikely to hurt them, by obtaining superior Influence over the Nabob, as he cannot well enter into his Excellency's favourite Exercises and Amusements. Murtehzeah Cawn, by some Means, got Intelligence of the Reason of Benny Behadre's being brought in, and has endeavoured to attach him to his Party. This Instance shews the Temper of these People, and the perpetual Attention there must be for the Nabob's Favour. Javo Loll's great Ascendancy over the Nabob, is to be considered to have taken its Rise since we left Mindighaut. In regard to my Conduct, it is to adhere to Murtehzeah Cawn, who has always warmly supported the Company's Interests. My Opinion of his Abilities I have before humbly represented. From his Station about the Nabob's Person, he is obliged to give up a good Deal of his Time to Dissipation, owing to which, many Businesses are so long protracted in the Execution, that the good Effects which might be expected from them are lost by the Delay: Still I imagine his peculiar Situation might not be detrimental to the Public, if he appointed able Naibs and Mottasiddies to act under him, who would, at the proper Time, execute all necessary Matters in which Murtehzeah Cawn might acquiesce, and ensure the Nabob's Approbation.

" Javo Loll by his Declaration and the Evidence of many Individuals, is a Person I am persuaded ill affected to the Company. He frequently talks of the English having ill Intentions towards the Nabob, and uses his Endeavours to persuade him to a Conviction of his own Independance: Such Insinuations may be very prejudicial to his Excellency, and involve his Government in still greater Confusion than it at present is.

" Should his Alliance with the English be ever reported to be interrupted, Mal-contentments would arise in all Quarters, whom it might not be afterwards so easy to quell. I considered a Point of such Delicacy, as a Misunderstanding between the Company and the Nabob, ought to be discouraged on the very first Surmises of it; that ill disposed Persons ought not to have the Opportunity of confirming any bad Impressions in his Excellency's Breast, which would be hereafter with Difficulty erased, or perhaps proceed to Extremities, and involve the Two Governments in very fatal Consequences.

" I thought therefore the best Mode of knowing whether his Excellency paid any Attention to the improper Discourses of his Favourites, was to inform him candidly of the publick Reports I had heard, and humbly solicited him to consider his real Situation, and the Conduct of the Honble. Board since the Conclusion of the Treaty: I stated to him every Expedient had been adopted to avoid Jealousies by any Connections with foreign Princes, and as for my Correspondence, I never wrote Letters but by his Sanction and Privy, and if he had Reason to be dissatisfied with me, that he should express it. When I represented these Circumstances to his Excellency, he denied any improper Discourses having passed in his Presence, and said he knew who was the Person who gave me the Information, meaning Murtehzeah Cawn, but pretended not to be displeased with him;

I replied,

I replied, that I should ill discharge my Duty to the Company or to him, to suffer these Reports to gain Ground, and hoped he would excuse my having mentioned the Subject.

"I lay little Dependence on the Information of Individuals, who are biased by the Cause they espouse; but when I heard it indiscriminately asserted by Persons attached both to Javo Loll, as well as his Opponent, that he has even gone so far with the Nabob as to offer to fight the Company, such Information is not to be overlooked. Many People assert to me, that they have heard Javo Loll speak of the English in the Nabob's Presence in the most disrespectful Terms, and use every Argument he could suggest to disgust him: Should I find any Alteration in the Nabob's Behaviour to me, or his Affairs likely to fail of Success, I purpose to present a Memorial, and endeavour to convince him of the Company being his firmest Friends — The Government of Rohilcund will, I hope, be shortly put upon a permanent Footing. Surut Sing, the Naib of that Province, represented in very strong Terms to the Minister, the Inconveniences to which he was exposed by the Tuncaws granted on him in Favour of Commanders of Bodies of Troops exceeding the Revenues: That these Men having their Resfalls or Corps on the Spot, ill-treated him, and that his Life was in Danger. He stated the Number of Troops necessary for the Defence of the Country, and the enforcing the Collections in Time of Peace, agreeable to which the Establishment will be formed. Gopaul Row's Resfalla, which was stationed in Rohilcund, is to be reduced; and Murtezhah Cawn of Baraiteh is withdrawn, as there seems to be no Apprehension of the Sikas. — The Nabob has consented, by his Minister's Advice, to dismiss above Ten thousand of his Cavalry, with nearly the same Number of Infantry. As it is a Measure for his Excellency's Advantage, and will be a Means of enabling him to pay the Troops to be commanded by British Officers, I hope there is no Doubt of its being carried into Execution.

"The Nabob Yesterday resolved on displacing the Gossaynes from the Country on the other Side of the Jumna, and informed them of it; at the same Time directed them immediately to give over their Charge, as also to reduce and pay off all the Troops they had entertained, excepting about Two thousand Horse, to which they promised implicit Obedience; but for fear they should not readily comply, I believe he purposes to order a sufficient Force to cross the River, to compel them to it — The Nabob has also determined on taking the Districts of the Doab out of their Hands.

"I have the Honor, &c.

(Signed) "John Bristow.

(And at the End of the Consultation)

"Warren Hastings,

J Clavering,

Geo. Monson,

P. Francis."

Read, from Book 101, already delivered in, the following Extract of a Consultation of the 11th of March 1776, beginning at Page 732 of the same Book.

"Fort William, 11th of March 1776.

"At a Council, Present,

The Honble. Warren Hastings, Governor General, President;

Lieutenant General John Clavering,

The Honble. George Monson,

Richard Barwell, } Esquires.

Philip Francis, }

"Received the following Letter from Mr. Bristow to the Governor General and Council at Fort William.

"Camp near Etawa, February 25th, 1776.

"Honble. Sir and Sirs,

"I addressed the Honble. Board on the 19th instant, and am sorry to mention a disagreeable Event which occurred Yesterday.

"The Nabob had dismissed Meer Afzul's Corps, which had been stationed on the other Side the Jumna for some Time past with the Gossaynes. There were Five Months Arrears of Pay due to them, which his Excellency engaged they should have in Fifteen Days; the Men considered this Delay an Artifice to deprive them of their Right, refused to admit of it, and Four thousand of them marched from their Station to within Six Coss of our Camp. The Day after their Arrival the Nabob went in Person amongst them, and thought he had settled the whole Affair for only a Part of the Pay, on the Receipt of which they were to give up their Cannon and Arms, and to disperse. The Persons employed by his Excellency in conducting the Negotiation had carried false Messages; and when the Nabob found the next Day that the Matchlockmen would not give up their Arms, he resolved on cutting them all to Pieces: I heard of this by Chance at 10 o'Clock at Night, and immediately waited on him to dissuade him from it, as it was an Act that could not do him any Credit. He urged their Disobedience of Orders

in leaving their Stations contrary to his Injunctions, and that if after he had settled the Matter once, and they refused to abide by what they had agreed to, and he suffered their Conduct to pass unnoticed, his Army would be constantly in actual Mutiny. I answered he must expect it unless he paid them, and represented, in the strongest Terms I could, that his cutting them to Pieces would disaffect his Troops in general, and that I thought it probable they would not fight in such a Cause, as they might naturally say, the same would be their Situation another Time. I observed on these Occasions there were a few who spirited the rest, and recommended to his Excellency to pick out these Men and punish them; but to pay and dismiss all those who had no other Hand in the Mutiny than being led into it by Persuasion and Ignorance of the Consequences. I sat with his Excellency till One o'Clock in the Morning without being able to dissuade him from his Resolution; he therefore ordered the Minister to march against them early the next Morning with about 15,000 Men, with Directions that if they gave up their Arms, and accepted of about Twenty thousand Rupees, he would suffer them to go away unmolested; otherwise there should not be a Man of them left alive. —The Matchlockmen would gladly have compounded for a Part of their Pay; but when about Two Lacks were due to them, and they even doubted their obtaining the small Sum that was offered after they had once grounded their Arms, they were therefore rendered desperate; all treating was at an End, and they resolved on meeting their Fate. Out of Four thousand, Fifteen hundred refused to fight, and left the Camp, so that the Engagement was supported by Two thousand five hundred, who did every Thing that Men in their deplorable State could. They had been for some Days reduced to the greatest Distress for the Necessaries of Life, were weak and terrified by the Numbers they had to oppose. Notwithstanding all the Disadvantages they laboured under, the Nabob got the Victory by a Chance; he was repeatedly repulsed, some Guns were even taken from him, and his Army put to the Route, when a Tumbrill blew up, and threw the Matchlockmen into Confusion, upon which his Excellency's Troops broke in upon them, and carried the Day.

* Sic in Orig.

"The Nabob had about Three hundred Men killed; of the Matchlockmen there were Six hundred; many wounded; Eight hundred were taken Prisoners and released To-day; the rest escaped, as his Excellency's Troops fought with ill Will, and suffered them to get away, otherwise a Man could not have been saved. The Eleven old Battalions, that is, those under Javo Loll and Bussant, who are formed into Two Brigades, were not in the Engagement, but drew out when the News of the Nabob's Troops having given * away reached them. The Men in general declared it was not to attack the Matchlockmen; they only meant to defend the Camp. Upon the whole, this Act, as might be expected, has given great Discontent amongst the Troops; and it is the general Cry, that they are never to expect their Pay, but when they can exact it—It is well known I advised the Nabob against the Measure, and I flatter myself the Credit of the British Nation was never at a higher Pitch in this Country than now—The Nabob's Behaviour at Mindighaut is a striking Contrast to that on the present Occasion.

"On my Return from the Nabob, the Night before the Affair, a Deputation of Five of the Matchlockmen presented me a Petition, just as I entered my Tents, which I refused to receive, but understood from them that it contained a Request for me to get them their Pay. After what had passed I could not interfere further. I told them they were the Nabob's Servants, and that the Company had nothing to do with them.

"I have the Honour to be, &c.

(Signed) "John Bristow,
Resident at the Court of the Nabob of Owd.

(Signed at the End of the Consultation)

"Warren Hastings,
J. Clavering,
Geo. Monson,
P. Francis."

Read, from Book 100, already delivered in, the following Extract of a Consultation of the 8th of April 1776, beginning at Page 173 of the same Book.

"Fort William, 8th April 1776.

"At a Council; Present,
The Honourable Warren Hastings, Governor General, President;
Lieutenant General John Clavering,
The Honble. George Monson,
Richard Barwell, } Esquires.
Philip Francis,

"Received the following Letters from Mr. Bristow.

"Honble. Sir and Sirs,

"I had the Honour to write last on the 25th Instant, and have now the Pleasure to acknowledge the Honble. Board's Two Letters of the 7th, as also to express my Thanks for the Appointment of Mr. Chandler and Mr. Hill.

"The

" The Nabob's Conduct to the Matchlock Men has produced the Consequences that might have been expected. I mean the disaffection of all his Troops; I believe I may safely assert from present Appearances, and the Declarations of the Men, that they would desert him in case of coming into actual Service. I have the Pleasure to say though that the private Sepoys in general would willingly put themselves under the Command of British Officers, in Hopes of securing their Pay, but the Native Officers now in Charge, whose Consequence would thereby be lessened, are averse to it, and would exert their Influence to prevent it; another Circumstance why they much dislike it is, that many of them are Men who have been dismissed from the Company's Service for bad Behaviour, and entered into Suja ul Dowlah's on his first raising of Sepoys.

" I am sorry to say his Excellency's Civil Government is in little better State than his Military. It is true he has ordered the Gossaynes to give up their Charge, and disband their Troops, and they have promised Obedience; but they evade and protract the doing of it as much as they can, and the Nabob unguardedly listens to every frivolous Excuse they are pleased to make him. Considering it for his Excellency's Advantage, I advised the Minister to have the Gossaynes dismissed on our first Arrival, but he urged that the Nabob would be against it, as they had promised to make him a considerable Payment. Above Six Weeks passed before his Excellency could be persuaded that they were amusing him, and this was only brought about by their sending him the trifling Sum of a Lack of Rupees. The Delay answered their Purpose, for it continued them in Office long enough to collect to a large Amount, and make the delivering over Charge during the Rubby very prejudicial to the Country and the Revenue. Had the Nabob consented to dismiss the Gossaynes Ten Days sooner than he did, he would have got Twenty-seven Lacks for this Year; as it is, Eighteen Lacks are agreed for, but from the Manner in which the Nabob supports the new Naib, I think it probable this Sum even will not be realized. The Cause is, that the whole Country is filled with Forts, in many of which the Gossaynes have their Agents, who will not give them up unless compelled. They assert to the Nabob that they have ordered their People to withdraw, but when the new Naib sends to take Possession he is positively refused it. The Gossaynes privately encourage this Conduct, which Jyne ul ab deen Cawn cannot oppose by Force, as the Nabob has stationed about Two thousand Hindostanny Horse, and a Battalion of Sepoys with him; the latter have their Arms in so bad a State that they are unfit for immediate Service, and the former when ordered to march first demand their Arrears of Pay, which is impossible for Zyne ul ab deen Cawn to discharge, having hardly collected Fifty thousand Rupees from the Country, and having paid the Nabob above One Lack and a Half as a Peshcush in Part of Four, the stipulated Sum. Had his Excellency only given him Two Battalions of Sepoys, either from Bussant's or Jano Lolis Brigade, he might have secured the Country; but though the Minister has repeatedly solicited him to do it, he answers, that the Service is not of that Consequence to require his regular Troops. On these Brigades he places unlimited Confidence, considering them as his sole Support, and purposing for them constantly to be about his Person. In their Arms, Accoutrements, and Dress, he imitates the Company's Troops, though in the Discipline, I believe, the Men are falling into their usual relaxed State.

" Since we arrived here, Nine Sepoys went away for Fifteen Days, without Leave. When they returned, the Nabob ordered Two to be confined, and threatened to stop their Pay, and cut off their Ears. Two Battalions drew out to insist on their immediate Release, which was granted. I know but one Way for his Excellency to rectify these Disorders, which is to disband the Whole, and then raise such a Number of Troops, the Expence of which would fall within his Revenue, and enable him to enforce Obedience. But the Dismission of these Men, though in every Respect his Excellency's Interest, yet it would be a most difficult Point to persuade him to.

" On displacing the Gossaynes from the Country on the other Side the Jumma, the Nabob directed Murteza Cawn of Baratch, to take Charge of it. He has crossed the River, but remains inactive; and the Gossaynes, in order to distress the Nabob, suddenly withdrew their People from before Janey, and out of all the Forts, it was reported, to assemble them, in Part, about Etawa, and the Rest to secure the strong Holds in this Country. I believe there may be near 5,000 at a Place called Akory, where it is said the Gossaynes have about Twelve Lacks of Treasure. A Body of Fifteen or Sixteen Hundred did really join them Five Days ago; and I recommended to the Minister to insist on this immediately dispersing, and forbidding any more to cross. The Gossaynes pretended they were only come to receive their Pay, and be dismissed. However, with these Men arrived Three Guns; and I have certain Intelligence that the Gossaynes, for Three Nights after the Engagement with the Matchlockmen, had their Horses saddled, and every Preparation made for engaging, pretending that the Nabob intended to attack them.

" It is exceedingly impolitical in the Nabob, not to have confined the Gossaynes, which would at once have subdued all Disturbances, without disaffectioning either his Chiefs, or the People in general. They are Rebels, I know by their Declarations to me, and correspond with Nudjiff Cawn and the Marattas. I advised the Minister to confine them, as a necessary Measure for the Peace and Safety of the Country. He objected to it; said they were Men of Rank and Consequence, and it would give him an ill Name; but the greatest Obstacle was, the Nabob's being averse to it. At the same Time he offered to let me manage it, which I refused. In the first Place, it was not my Duty; and in the next, had any Accident and Bloodshed happened in the Execution, I could not have answered it to the Honble. Board.

" The

" The Rana of Goad, and the Rajahs of Bundelcund, have made various Proposals for forming the Districts of Kalpy; but they are worded in so vague a Style, that nothing has been yet settled. I can easily perceive they are waiting to see the Event of the Nabob's Conduct. They express, in very free Terms, their Doubts of his adhering to his Engagements; require the Guarantee of the Company; and the Rana of Goad makes it a particular Condition, that a Body of Troops, under British Officers, shall be stationed in the District of Kalpy. I think his Proposals seem to be the most reasonable. He once mentioned the Sum of Twenty Lacks for the Rubby; but I cannot say what will be finally fixed. Major Poier has left his Country, and is gone towards Agra.

" The Marattas are near Janey. I suppose the whole Body of them may amount to Twelve thousand, at the highest Computation. They are not to be considered in any Respect formidable; but they may give Trouble on the Nabob's withdrawing, on the setting in of the Periodical Rains.

" From the Facts I have above represented, the Honble. Board will know the true State of the Doab. In regard to Rohilchund, its Revenues are hardly adequate to the Expence of the Troops stationed there. With the Naib of that Province (Surut Sing) I have entertained a Correspondence; and he has frequently expressed his Wish to have a Battalion of Sepoys, with British Officers, stationed with him. He represents, if this be done, that the Nabob may dismiss the greater Part of his Troops who are now there, and who only attend to the Collection of their own Tun-caws, instead of supporting his (the Naib's) Authority. I have given him Assurances that I will exert my Endeavours to persuade his Excellency to comply with his Request.

" The Provinces of Korah and Allahabad have remitted a mere Trifle. In the former District, there is only Mahboob's Corps stationed, and in the latter, the Military and Civil Expences can hardly be equal to the Rents; still there is no Advantage reaped from either one or the other. The Province of Owa has been the Nabob's principal Resource; but the Rents of it are now assigned to various Purposes, and I do not see how any Remittances can be expected from it. A great Part of the Nabob's Household Expences, and the Pay of his Troops, is disbursed by these Assignments; but there will remain so considerable an Overplus, that I am persuaded his Excellency has not a Prospect of supplying the Funds for the succeeding Four or Five Months. Much Confusion must ensue, if he does not fall on some Plan of reducing his Military Establishment. One great Expence, of which I can make no Estimate, is Donations and Allowances to Favourites, which must amount to an enormous Sum. (a)

" Camp near Etawa,
1st March 1776.

(Signed)

" John Briftow,
Resident at the Vizier's Court."

Read, also, a further Extract of a Letter from Mr. Briftow to the Governor General and Council at Fort William, from the same Consultation, beginning at Page 189 of the same Book.

" Honble. Sir and Sirs,

" The Nabob and the Minister both appear to be at present firmly resolved on placing the Officers on a respectable Footing. Jaaw Loll who opposed the Measure was Yesterday disgraced, having been first found guilty of certain Misdemeanors, much to the Discredit of his Excellency's Government, and abusing the high Confidence placed in him. The chief Charge against him was on the Nabob's going out to the Matchlockmen; he was sent as a Mediator, but misrepresented the Proposals on both Sides, by which Means the Misunderstanding at first arose. I mentioned in my Letter of the 25th ultimo, Nine hundred killed by this unfortunate Event; but Two Days after, when the People were sent out to bury the Dead returned, Accounts were brought of above Two thousand. Original Letters were found under Jaaw Loll's Seal to some of the Mutineers, advising them to fight against the Nabob; this, and the Advice he had been perpetually giving his Excellency to slight the Alliance of the English, determined his Excellency on displacing him from all his Civil and Military Trusts. Notwithstanding the Nabob had before denied to me, Jaaw Loll's having ever entertained inflammatory Discourses in his Presence against the British Government, yet he Yesterday confessed it, but observed he was in Hopes of his altering his Manners, and that being a Man for whom he entertained a great Regard, he wished to give him every Trial he possibly could. Jaaw Loll's Brigade and Officers are all given to Buffant. (b)

(Signed at the End of the Letter)

" Camp near Etawa,
3d March 1776.

" John Briftow,
Resident at the Court of Owdé."

(a) Vide Appendix, N° CCCV.

(b) Vide Appendix, ibid.

Read, also, a further Extract from the same Consultation, beginning at Page 230 of the same Book.

" Copy of a Letter from Mr. John Bristow, Resident with the Nabob Aufuf ul Dowla, to Colonel Subbert, dated the 19th March 1776.

" The Minister this Day did me the Favour of a Visit, and requested of me in the Nabob's Name to beg of you to assist him in quelling a Rebellion which has broke out at Putahgur. I asked whether his Excellency wished to have a Detachment or the whole Brigade march.

" He seemed desirous of the latter, and that I should recommend it, as the Rebels were collected to near 20,000 Men, and had defeated and taken away the Muskets and Guns of One of his Battalions of Sepoys, and seized the Port of Pertahgur.

" I have stated his Excellency's Request in his own Words to you, and inclose you Letters both from him and the Minister.

" P. S. The Naib of Owde, Saynd Mahomed Cawn, is ordered to Pertahgur, to give you the necessary Intelligence, and to follow your Advice in the quelling of this Rebellion. I understand the Rebels have no Leader, and the Cause of their assembling is to evade the Payment of the Revenues, which a late Change of the Aumil of Pertahgur has given them Hopes of being able to do. (a)

" A true Copy.
(Signed) " John Bristow."

Read, also, a further Extract from the same Consultation, beginning at Page 205 of the same Book.

" General Clavering records the following Minute in Reply to the Governor General's.

" I think the Nabob should be obliged to reduce his Army to the Number stipulated by the Treaty with his Father of the 29th of November 1768, which limits the whole Force to be kept up by him, to be no more than Thirty-five thousand Men of every Denomination. I understand from Mr. Middleton that the Vizier left at his Death One hundred thousand Men. (b)

(Signed at the End of the Minute)
" J. Clavering."

Read, also, a further Extract from the same Consultation, beginning at Page 218 of the same Book.

" Resolved that the following Letter be written to Mr. Bristow.

" Sir,

" We have already desired you to recommend to the Nabob the Reduction of his present Military Establishment; sensible of the Difficulties which must continually embarrass him, whilst he neglects to retrench the Charges of his Army, and convinced at the same Time, that the Defence of his Dominions might be more effectually secured by a moderate Number of well-disciplined Troops, than by the tumultuous Rabble which he now keeps in Pay, we cannot too strenuously urge the Necessity of his disbanding the greatest Part of them. The Number of Troops to which the late Vizier was restricted by his Treaty with this Government, concluded in November 1768, was 35,000 Men. We think that this Establishment, including the Battalions commanded by English Officers, will completely suffice for all the Services of the Nabob as long as he shall retain the Brigade within his Dominions, and that in the present State of his Resources he cannot find Means to pay a larger Force with Regularity, and at the same Time punctually to discharge the Subsidy: We therefore enjoin you to represent to the Nabob in the strongest Terms, that the Decrease which we recommend will be a Means to recover his Finances, and to preserve a due Subordination and Discipline in his Army. Whatever Troops the Nabob may think fit to disband in consequence of this Representation, we desire you will intercede with him to secure the full Payment of all Arrears that may be due to them to the Period of their Discharge. (c)

(Signed at the End of the Letter)

" We are, &c.

(Signed at the End of the Consultation)

" Warren Hastings,
J. Clavering,
Rich^d Barwell,
P. Francis."

(a) Vide Appendix, N^o CCCV.

(b) Vide Appendix, ibid.

(c) Vide Appendix, ibid.

Read, from Book 100, already delivered in, the following Extract of a Consultation of the 22d of April 1776, beginning at Page 381 of the same Book.

“ Fort William, 22d of April 1776.

“ At a Council; Present,
The Honourable Warren Hastings, Governor General, President;
Lieutenant General John Clavering,
The Honble. George Monson,
Richard Barwell, } Esquires.
Philip Francis, }

“ Received the following Letter from Mr. Bristow to the Governor General and Council at Fort William.

“ Honble. Sir and Sirs,

“ I have before mentioned to the Honble. Board the Want of Vigor the Nabob manifested towards the Gossains, of whose Treachery his Excellency is at last fully convinced to his Cost. Notwithstanding every Argument and Persuasion urged to him both by the Minister and myself, to guard against those Chiefs, he was still so intuated by the Insinuations perpetually thrown out in their Favour, by their Partizans, that he resolved on re-inflating them in the Possession of the Country on the other Side the Jumma. Aloph Ghyr was accordingly detached, but having repeatedly invited the Marattas to invade the Country, a Body at last advanced, instead of opposing which, he quietly gave up the Possession of many Districts, and a few Days ago fled with near Nine thousand Men of the Sinafs, and other Hindoo Casts. He is arrived by the latest Intelligence at the Nuddee Harota, within Twelve Cos of Agra, and I understand proposes to join Nudjif Cawn. This Re-inforcement at the present Juncture will greatly forward the Capture of Dyke, though in the End I conceive Nudjif Cawn will have little to boast of from the Acquisition of the Gossain, who has never served a Prince whom he did not betray. Amroo Gyr is now encamped near this Place with a Party of Three or Four thousand Men, but I shall use every Argument with his Excellency either to confine or dismiss him, as Affairs grow too serious to adopt any longer of irresolute and undeterminate Measures. (a)

(Signed at the End of the Letter)

“ Camp near Etawa,
9th April, 1776.

“ John Bristow,
Resident at Owde.

(And at the End of the Consultation)

“ Warren Hastings,
J. Clavering,
Rich^d Barwell,
P. Francis.”

Read, from Book 38, already delivered in, the following Extract of a Consultation of the 13th of June 1776, beginning at Page 61 of the same Book.

“ Fort William, the 13th June 1776.

“ At a Council; Present,
The Honble. Warren Hastings, Governor General, President;
Lieutenant General John Clavering,
The Honble. George Monson,
Richard Barwell, } Esquires.
Philip Francis, }

Secret Dept.
Thursday

“ Received the following Letter from Mr. Bristow to the Governor General and Council at Fort William.

“ Honble. Sir and Sirs,

“ His Excellency's own Troops, and most of his Expences being in general paid by Assignments, either from the Irregularity in his Offices, or perhaps from a Desire of protracting the Discharge of his Debts to Individuals, he has frequently granted Assignments on the very Lands appropriated to the Payment of the Army Subsidy, in the counteracting of which I had great Difficulty; but there is no Possibility of avoiding this Inconvenience by receiving the Army Subsidy in ready Money, for his Excellency's Revenues are so anticipated, that there is hardly Three Lacs a Month remitted to the Prefence; I therefore leave the Honble. Board to judge how small a Sum I should have realized, unless these Assignments had been made to the Company. When I received Powers to accept them, near Three Months of the Hindoo Year were elapsed, which prevented me from

(a) Vide Appendix, N^o CCCVI.

Obtaining Assignments for more than Nine Months or to the Conclusion of the present Year. The Army Subsidy for which Period would amount to Owde Sicca Rupees 23,40,000, whereas I have procured them for 29,05,926 8. On the Commencement of the new Year I hope to be able to procure new Assignments on Districts laying more contiguous to each other, or to the Bench Camp; but at the Time I was authorized to accept these Assignments, the Vizier's Revenues and Government were in such Confusion, that I found it utterly impossible to chuse the Districts agreeable to the Honble. Board's Directions, and was therefore glad to have them on such Annals as were responsible Men, without regard to the Situation of their Lands. I do myself the Pleasure to inclose the Honble. Board the Statement of the Assignments. (No. 4.)

" If I am so fortunate as to get the Payment of the Begum's Money, I shall be able in a few Days to make a considerable Remittance to the Presidency. (a)

" Lucknow,
4th June 1776.

(Signed at the End of the Letter)

" John Bristow,
Resident at the Vizier's Court.

(Signed at the End of the Consultation)

" Warren Hastings,
J. Clavering,
R. Barwell,
P. Francis."

Read, from Book 38, already delivered in, the following Extract of a Consultation of the 8th of July 1776, beginning at Page 177 of the same Book.

" Fort William, the 8th July 1776.

" At a Council; Present,
The Honble. Warren Hastings, Governor General, President;
Lieutenant General John Clavering,
The Honble. George Monton,
Richard Barwell, } Esquires.
Philip Francis, }

Secret Dept.
Monday.

" Received the following Letter from Mr. Bristow, to the Governor General and Council at Fort William, dated Lucknow, June 13th 1776.

" Honble. Sir, and Sirs,

" I have received the Honble. Board's Two Letters of the 29th ultimo, and did, in Consequence, inform the Vizier, that his Request of continuing the Brigade in its present Station, was contented to, at which he expressed the highest Satisfaction.

" I have the Pleasure to inclose the Disposition of the British Officers, and To-day proposed to the Vizier the Plan of the Six Battalions to be raised by Colonel Stebbert, agreeable to the Honble. Board's Directions. His Excellency expressed his Inclination, that whatever were raised should be included in the Establishment made at Etawa, altogether Thirteen Battalions, out of which Four Battalions, Captains Home and Ware's Regiments, were disposed; and of Lieutenant Maclary's Battalion, there now hardly remains One hundred and fifty Men; so that there is only Five Battalions wanting to complete the Establishment, and is the Number his Excellency wishes to have raised at present, being the Whole that he can supply Funds for.

" The Vizier having reduced his Army so very considerably, and further Deductions being to take Place during the Rains, his principal Dependence will rest on the Troops commanded by the British Officers. These Reductions having happened so near the Commencement of the Rains, it is fortunate that no Enemy could, according to the common Course of Things, invade the Country with any Prospect of Success; and, before the Conclusion of the Rains, if Expedition is used, such a Body of Troops may be raised, as will place the Vizier above the Apprehensions of foreign Enemies, or the Intrigues of his disaffected Subjects. At the same Time, should the Company be engaged in a War in Bengal, the Brigade might be withdrawn with Safety to the Vizier, and without Danger to the Company from his Designs; for imagining him to be inclined, which I sincerely believe he is not at present, he could hardly be so weak as to listen, in the then Situation of his Army, to any flattering Proposals that might be made him by the French. The Line of the Company's Connection with the Vizier being judiciously drawn, would not lead them into more extensive Engagements than is absolutely necessary for their own Security. The Vizier's Territories being so singularly situated as to be on many Quarters defended by Nature, he might, therefore, spare the greater Part of his Forces to resist the Attacks of a foreign Enemy, and there would still remain a very sufficient Number to secure the Police of interior Parts of the Country, and the Collection of the Revenues. With the Advantages of Situation, and a disciplined Army, which would yield his Excellency so evident a Superiority, it is unlikely any of the Native Pow-

(a) Vide Appendix, N° CCCVII.

er would ever think of attacking him. The Company too, from their Influence in his Military might induce him to confine his Views to the Countries he now possesses, as to attempt to extend them beyond those Limits would involve him in War with numerous and formidable Enemies, and if even successful, be of Prejudice, by acquiring him too great an Empire to be permanent. For the Service of maintaining the Vizier's Dominions, the Thirteen Battalions and Two Regiments of Cavalry, together with a proportionable Artillery under British Officers, may suffice for the present, and it will be a Body of Troops that he can raise and support.

"The Vizier's present Army is absolutely inadequate to the Defence of his Country. I humbly represent the Necessity of other Troops being raised with all possible Expedition, it requisite, to take the Field immediately after the Rains: For Assistance in this his Excellency must solely depend on the Honble. Board for Arms. He has no Muskets by him fit for Service, and no People capable of making them properly, and the Detriment of not having the Number required in proper Time, will, I hope, evidently appear: The Want of Muskets is so great, that I have even been unable to procure them for the Body Guard.

"Until the present Juncture the Vizier has been contending with great Difficulties, though I would now flatter myself he has got over the worst Part, excepting Mahboob: His disaffected Subjects are all displaced from Offices of Trust, and the greater Part of an irregular licentious Army dispersed. Last Year we were cantoned here with Fifty thousand Troops; almost daily Disturbances for Pay, or Disputes between the different Casts of the Army happened; and I recollect more than Twenty Instances of the whole Army being drawn out to settle the Matter by Combat, to the great Terror of the Inhabitants. With Difficulty the Vizier was able to settle their Disputes—in doing of which he submitted to many Indignities, and even personal Danger. This Year we have very few Troops here, not a single Murmur or Disturbance has hitherto happened; and from the Disposition of the Troops, I think this fair Appearance will last.

"His Excellency being now fully convinced of Mahboob's Want of Fidelity, is resolved on dismissing him from the Government of Corah, and accordingly this Day disposed of that Office. Mahboob has a Number of Troops, to oppose which the Vizier has none that he could at present spare without exposing his other Countries to much Confusion; and to leave Mahboob in the Province with the Command of the Military, would be both impolitical and dangerous; especially as there are strong Holds, particularly the Fort of Ally-Ghur, in Corah, which it would cost much Trouble to dislodge him from in case an Opportunity should present itself of his openly throwing off his Allegiance. To call him to the Presence with his Troops is equally wrong; it would be assembling a Body of Mutineers to the Vizier's personal Danger, as he has no Troops of his own to awe or oppose them whenever they might please to be troublesome. For these various Reasons I should conceive it would be his best Plan to dismiss them in Corah; but if the Detachment under Lieutenant Colonel Parker be not continued there to enforce his Excellency's Orders on this Head, as well as to protect the Country, I do not see how he will be able to carry it into Execution. (a)

(Signed at the End of the Letter)

"John Bristow,
Resident at the Vizier's Court."

Read, also, a further Extract from the same Letter and the same Consultation, beginning at Page 182 of the same Book.

"Mahboob would be hereby compelled to dismiss his Troops; a Body of Men of little Service but of great Expence got rid of; for though Corah ought to have yielded near Eighteen Lacks last Year, yet Mahboob has managed, with only Five Battalions of Matchlockmen and One thousand Cavalry, to make the whole Revenue hardly suffice for the Payment of them: For the Vizier therefore at the present Juncture, to be refused the Assistance of Colonel Parker's Detachment would be giving up the actual Possession of Corah. Mahboob might, for the sake of Appearances, profess Obedience, and the Vizier, out of Fear, pretend to be satisfied of his Attachment, as he used to be with the Gossayne, but he would be unable to exact any Revenues, and have in the Heart of a Province filled with Forts a Body of Troops ready to join the First Invader. In regard to Danger to Colonel Parker, I humbly beg to represent, that I conceive there can be very little indeed. I understand the Fort of Ally Ghur, which he has Possession of, is tenable with an inferior Force until a Re-inforcement could arrive; but I would hope that Colonel Parker, in case of Matters coming to Extremities, might be able to keep the Field. Lieutenant Clarke's Battalion, with the Second Company of Artillery, are cantoned within Fifteen Coss of Ally Ghur, so that the Force Colonel Parker could immediately collect would be Three Battalions of Sepoys, and Ten Pieces of Cannon: He would have to oppose about Six thousand Irregulars; and I submit it to the Consideration of the Honble. Board, how our Victories have been carried in India, and whether Colonel Parker, so situated, can be in the least Danger, or whether his Force is not fully a sufficient one for the Service. I have expressed my-

(a) Vide Appendix, N° CCCVIII.

(1883)

self in this Style, because Colonel Stibbert writes me, that he expects to receive Orders very shortly to withdraw the Detachment from Corah, and I thought it my Duty not to omit any Circumstance which might give the Honble. Board an Insight into the Vizier's Reasons for withholding it to be continued there.—I hope too the Honble. Board will excuse my observing his Excellency's Situation is now very different from what it was when a Division of the Brigade might have been considered to have been really imprudent. We had at that Time a Danger to guard against from Two Quarters, the One a Foreign Enemy, the other the Jealousy of the Vizier, which might have prompted him to have made a treacherous Attempt against our Army, and his own at that Period was numerous enough to have flattered him with Hopes of Success. The first Occasion of the Honble. Board's countermanding all Detachments was on the Suspicion of the Nabob's Intentions to cut off the Brigade, which were found upon Enquiry to be entirely false, and spread by ill disposed People to disturb the good Understanding subsisting between the English and him. Ever since that Time his Conduct has proved how he depended on us for his sole Support, and that from Inclination and a Sense of his real Situation. (a)

(Signed at the End of the Letter)

“ John Bristow,
Resident at the Vizier's Court.

(Signed at the End of the Consultation)

“ Warren Hastings,
J. Clavering,
R^d Barwell,
P. Francis.”

Read, from Book 38, already delivered in, the following Extract of a Consultation the 28th of August 1776, beginning at Page 692 of the same Book.

“ Fort William, the 28th August 1776.

“ At a Council; Present,
The Honble. Warren Hastings, Governor General, President;
Lieutenant General John Clavering,
Richard Barwell, } Esqrs.
Philip Francis, }
Colonel Monson indisposed.

Secret Dept.
Wednesday.

The Governor General delivers in the following Minute.

“ From the repeated Accounts which have been received of a Combination formed by the Marattas, the Seikes, and the Rohillas, to invade the Dominions of the Vizier after the conclusion of the Rains, and from the too great Notoriety of his Inability to oppose an Invasion by Force of his own, the Probability of such a Design is at least so apparent, as to merit the Attention of this Board to the Means of guarding against it. (b)

Governor
General's Minute.

(Signed at the End of the Minute)

“ Warren Hastings.

(And at the End of the Consultation)

“ Warren Hastings,
J. Clavering,
Rich. Barwell,
P. Francis.”

Read, from Book 39, already delivered in, the following Extract of a Consultation of the 30th of December 1776, beginning at Page 782 of the same Book.

“ Fort William, the 30th December 1776.

“ At a Council; Present,
The Honble. Warren Hastings, Governor General, President;
Lieut. General John Clavering,
Richard Barwell, } Esquires.
Philip Francis, }

Secret Dept.
Monday.

Read the following Letter from Mr. Bristow to the Governor General and Council at Fort William.

“ Honble. Sir and Gentlemen,
“ It is with much Concern I observe the Want of Discipline which still reigns in that Part of the Vizier's Army not under British Officers. Two Battalions marched a short Time ago from their

(a) Vide Appendix, N^o CCCVIII.

(b) Vide Appendix, N^o CCCIX.

Stations to this Place, and demanded their Pay, which if they were not granted, they threatened to plunder the Town. The Vizier was obliged to comply with their Demands, and when he wanted to dismiss them for their mutinous Behaviour, they refused to give up their Arms, unless his Excellency would promise through me, not to use any Violence towards them. The Night of the Mutiny I was sent for at Ten o'Clock by the Vizier to be the Arbitrator between him and the Mutineers, which Office I, however unwillingly, took upon me, in order to prevent a Disturbance. At Fyzabad the Troops have gone to great Extremities, and compelled the Begum to pay them a considerable Sum of Money. The Particulars of this Disturbance the Honble. Board will understand from her Letters to me on this Subject, Copies of which I have herewith the Honour to inclose: No. 1. The Vizier the Night before last received Intelligence that after the Mutineers dispersed, the Begum had thought proper to put her own People into all the Offices in the Town, and displaced his; that she had confined a Soubadar, and some Sepoys who were Guards on the Store Houses; seized the Gates; and published to the World that she had bought the Town for the Money the Troops had exacted from her. The Vizir was extremely mortified at this Intelligence, and sent at past Eleven o'Clock at Night to let me know that he had some very particular Business to speak to me about, and before I could return him an Answer to his Message, he did me the Honour to call on me. He complained heavily of the Begum's Behaviour, and declared, that if it was not for the Treaty he had made with her through the English, he would immediately order her Two principal Eunuchs to be capitally punished; he at first determined to send the Body Guard to Fyzabad, and retake Possession of the Town, but changed his Mind on my asking him whether there was a Probability of any further Disturbance; he answered there was not the least, as the Troops concerned in the Mutiny were all dispersed, and another Battalion had been ordered to Fyzabad, which would be arrived there by that Time. After many Propositions, he at last resolved on sending the Minister Hussein Reza Cawn, to which I advised him, knowing the Begum was well affected towards him, and that he would act with Moderation. The Vizir insisted on my immediately writing her a Letter, that Hussein Reza Cawn might set off with it before Day-break. I enclose a Copy of it: No. 2. I am inclined to think the Begum's Conduct has been exaggerated in order to cause ill Will between her and his Excellency, but I hope the Honble. Board will approve the Part I was obliged to take to moderate Matters. (a)

" Lucknow,
25th November 1776.

" I have the Honour, &c.

(Signed) " John Bristow,
Resident at the Vizier's Court.

(Signed at the End of the Consultation)

" Warren Hastings,
J. Clavering,
Rich^d Barwell,
P. Francis."

Read, from Book 118, already delivered in, the following Extract of a Consultation of the 26th of February 1777, beginning at Page 354 of the same Book.

" Fort William, 26th February 1777.

Secret Dept.
Wellfield iv.

" At a Council; Present,
The Honble. Warren Hastings, Governor General, President;
Lieutenant General John Clavering,
Richard Barwell, } Esquires.
Philip Francis, }

" Read the following Letter from Mr. Middleton to the Governor General and Council at Fort William.

" Honble. Sir and Sirs,

" The Country of Gorruckpore, particularly that Part which lies contiguous to the Mountains, although not in actual Rebellion, is so far unsettled as scarcely to be deemed a Part of the Vizier's Dominions. The Revenue of that District is rated at Rupees 5,60,000, but from the Manner in which the Payment has hitherto been made, I do not apprehend that more than Half that Amount will be realized; and the Reason which the Aumul assigns for this Failure, is the Number of Zemindars on the Confines of the Province, who, being in Possession of Mud Forts, withhold their Revenue under various Pretences until extorted from them by Force: Under these Circumstances the Charge of the Army necessary to be kept up in that one District, is almost equal to the Amount of the Collections.

" His Excellency intends to march towards Gorruckpore as soon as the Ceremony of the Mohurram is over. His Plan is to bring these Zemindars to an equitable Adjustment of their Accounts; to reduce all the Forts that are not immediately necessary for the Defence of the

(a) Vide Appendix, N° CCCX.

(1885)

Country against foreign Invasions; and to put those in the Possession of Men whose Fidelity and Allegiance he can rely upon. (a)

" Lucknow,
the 11th Feb. 1777.

(Signed)

" Nath. Middleton,
Res^t at the Vizier's Court."

(No Signature at the End of the Consultation.)

Read, from Book 599, already delivered in, the following Extract of a Consultation of the 21st of April 1776, beginning at Page 586 of the same Book.

" Fort William, the 21st April 1777.

" Atja Council; Present,
The Honble. Warren Hastings, Governor General, President;
Lieut. General John Clavering,
Richard Barwell, } Esqrs.
Philip Francis, }

Secret Dept.
Monday.

" Read the following Letter from Mr. Middleton to the Governor General and Council at Fort William.

" Honble. Sir and Sirs,

" I beg Leave to inclose the Honble. Board a List of the Districts which have been assigned over to me in Jaydaad, N^o 3. I have to remark, that I have made choice of those Pergunnahs which have been represented to me as the most flourishing, and the most likely to yield the Revenue at which they are estimated; but until the Sizanululs arrive in the Districts, I cannot positively ascertain how far my Hopes may be realized, as I have little more than Zyne-ul Abdeen Cawn's own Report to form my Judgement upon. If, however, upon a local Investigation, it should appear that these Districts have been overrated, I will insist on their being exchanged, or having the Revenue of others assigned over to me to make good the Deficiency. As the Mode of taking separate Jaydaads seems best calculated to obviate large Balances upon my Tuncaws, I have adopted it in every District where I thought it likely the Collections would fall short, which I am sorry to say comprehends almost every One upon which I have any Demand, and the Description, with a very few Exceptions, might justly be extended to every District in the Vizier's Dominions. It is with Concern I exhibit to the Honble. Board so unfavourable a Picture of his Excellency's Affairs, but I should ill acquit myself of the Duty I owe my Employers, were I to conceal my Sentiments upon a Matter which appears of such serious Consequence to this Government. By the Accounts and Statements which Mr. Bristow transmitted the Honble. Board a few Days after my Arrival, they would perceive that the Nabob's Disbursements, at the Rate he is now going on, exceed his annual Income many Lacks; but if those Statements are just, which, from the best Information I have been able to obtain, I have no reason to doubt, the Deficiency will be far more considerable than Mr. Bristow has supposed, he having formed his Estimate upon the Jumna Bundy of the Country, without making any Allowance for Balances, which, I believe, I may venture to affirm will, at the Close of the Year, be little short of One Fifth of the Whole estimated Revenue at this Time, as I have already observed there is scarcely a District throughout the Nabob's Dominions that is not considerably in Balance. In this and the ensuing Month, 'tis true, large Collections will be made, and the Arrears to that Time probably nearly paid up; but it is also equally true, that after that Period the Collections will bear no Proportion to the Gifts. In this Situation I submit it to the Consideration of the Honble. Board, how far it may be proper to interfere in pressing the Nabob to regulate his Expences, either by a Reform in his Military Establishment, or a Retrenchment in his Civil Disbursements, so as to bring them more upon a Footing with his probable Income. (b)

" Lucknow,
21st March 1777.

" I have, &c.
(Signed)

" Nath. Middleton,
Res^t Vizier's Court.

(Signed at the End of the Consultation)

" Warren Hastings,
Rich^d Barwell,
P. Francis."

Read, from Mr. Middleton's Letter Book E, already delivered in, the following Extract of a Letter from Mr. Middleton to Mr. Charles Purling, dated Lucknow, the 5th November 1779.

" Sir,

" In taking Assignments from the Nabob for the Services of the current Year, it will be necessary you have Reference to the general Estimate which accompanied my Address to the

(a) Vide Appendix, N^o CCCXI.

(b) Vide Appendix, CCCXII.

Honble.

Honble. Board, under Date the 6th November 1778, which includes every Head of Charge upon the Vizier; the subsequent Accounts will shew you how far each has been liquidated, and enable you to form an accurate Estimate of the Funds you are to obtain from the Vizier.—When I have of late pressed his Excellency for further Assignments, he has pleaded his Inability to answer the very heavy Demands which will this Year fall upon him on account of the Drought which has unfortunately happened, to the almost total Destruction of the Kurreef Harvest, and the consequent Diminution of his Revenue.—I am concerned to confess there are but too good Grounds for this *Place.—The Misfortune has been general throughout the Whole of the Vizier's Dominions, obvious to every Body, and so very fatal have been its Consequences, that no Person of any Credit or Character would enter into any Engagements with Government for farming the Country, without a heavy Deduction in the last Year's Jumma, which his Excellency has been compelled to allow to all who have hitherto been appointed to Farms, and some who engaged even under these Circumstances, have, to my Knowledge, made most urgent Applications to the Nabob and his Ministers to be released from their Obligations, and allowed to relinquish their Farms, which they found they could not hold but at a certain Loss to themselves. You will very soon be convinced, by undoubted Testimony and loud Complaints from every Quarter, of the Reality of this Misfortune, which has necessarily been the Means of delaying the general Settlement of the Country, and of preventing my hitherto getting Assignments for more than Sixty-nine Lacks of Rupees; but how far its Operation and Effects preclude the Nabob from answering the Demands upon him on public Account, you will be the best able to judge from the Statements which you will obtain of his estimated Revenue.

* See in Orig.

" Lucknow,
5th November 1779.

(Signed at the End of the Letter)

" Nath. Middleton."

The Counsel for the Defendant stated, they would next adduce some Documents to shew repeated Applications made by the Nabob to the Begum for the Recovery of his Patrimony, and some Negotiations entered into, which ended in the Treaty of the 15th of October 1775; and also some Applications made subsequent to that Treaty upon the Subject of it.

The Managers for the Commons objected to the Mode of proceeding adopted by the Counsel of reading Extracts only from the abovementioned Letters of Mr. Bristow, unless the Appendix, in which the Remainder of the said Letters would appear, was to be considered as Evidence of itself.

The Managers for the Commons were informed that it had already been stated that a Document inserted in the Appendix was not of itself Evidence, simply because it was there inserted; but that they were at Liberty to have the Remainder of the several Letters produced on the Part of the Defendant now read, if they chose it. The Counsel were then asked if they had any Objection to having the Whole of what would otherwise appear upon the Appendix entered as read.

The Counsel for the Defendant objected to the same, as tending to load the Minutes with irrelevant Matter.

The Managers for the Commons were informed, that if they would at the next sitting Day state to the House such Parts of the aforementioned Letters as they wished to have read, the same would be entered as of the Minutes of this Day; without Prejudice, however, to any Objection which might be made to them on the Part of the Counsel for the Defendant.

The Counsel for the Defendant informed the House, they would next proceed to read an Extract from a Consultation of the 20th April 1775.

Read, from Book 7, already delivered in, the following Extract of a Consultation of the 20th of April 1775, beginning at Page 1776 of the same Book.

" Fort William, the 20th April 1775.

" At a Council; Present,
Lieutenant General John Clavering, President;
The Honble. George Monlon, and
Philip Francis Esquire.

" Received a Letter from the Resident at the Court of Owde to the Governor General and Council at Fort William, dated Mindy Gaut, the 2d March 1775.

" Honble. Sir and Sirs,

" The Nabob having, by discharging the Arrears of his Troops, and by the necessary Disbursements on his first Accession, exceeded the Receipts of his Revenue, has repeatedly applied to
Buhhoo

Secret Dept.
Thursday.

Buhhoo Begum to supply his present Exigences. Hitherto all his Applications have proved ineffectual, but on the 23d of March he dispatched Murtezzah Cawn and Sellar Jung to her Excellency, to endeavour to get some Money from her.

"The whole Treasure amassed by the late Vizir during the Five or Six last Years of his Life, (amounting to at least Two Crore of Rupees), was, from Time to Time as received, always deposited with Bahhoo Begum. On the present Nabob's Accession she retained it in her Possession without having disbursed any Part of it, but for her own private Expences.

(Signed at the End of the Letter)

"John Bristow.

(And at the End of the Consultation)

"Warren Hastings,
J. Clavering,
Geo. Monson,
P. Francis."

The Counsel for the Defendant stated they would next proceed to read several Extracts from various Letters of Mr. Bristow to the Governor General and Council, and desired to know if the Managers wished the Whole of the Letters to be read.

The Managers for the Commons made Answer, that they desired the Whole might be read.

Read, from the same Book, the following Extract of a Consultation of the 1st of May 1775, beginning at Page 2070 of the same.

"Fort William, 1st May 1775.

Secret D pt
Monday.

"At a Council; Present,
The Honble. Warren Hastings, Governor General, President;
Lieur. General John Clavering,
The Honble. George Monson,
Richard Barwell, } Esquires.
Philip Francis,

"Received the following Letter from the Resident at the Court of Owde.

"To the Honble. Warren Hastings Esquire, Governor General, and the Members of the Honble. Supreme Council at Fort William. Resident at Owde.

"Honble. Sir and Sirs,

§ ("I wrote the Honble. Board Yesterday. In my Letter of the 2d instant, I explained the State of Parties at this Court, and in some Measure accounted for the prevailing Discontents. By the deputing Murtefeh Cawn to Fyzabad, they are much encreased; for his Commission was not confined merely to the procuring of Money from Buhhoo Begum, but to collect it by any Means; and Tradesmen and People of all Ranks have been taxed to the Amount of at least Twenty Lacks. The Begum at first refused to pay any Thing; but Murtezeh Cawn waited upon her, and told her he was the Well-wisher of the Family. If her Excellency would give her Son any Money, it was well, otherways low-lived Fellows (meaning Sepoys) should be hereafter sent to take it from her. It is reported she has, in Consequence, offered Fifteen Lacks, upon Condition of no more being required of her; and her Excellency is so dissatisfied at the Treatment she has met with, that she talks of immediately going to Calcutta. The Reason given for these violent Measures is to satisfy the Demands of the Company, and to pay the Peshcush for the Vizarut. I am this Day informed, upon very good Authority, that the Nabob purpotes to send down the Brigade, when he has paid the Money due to the Company, thinking his own Troops more than equal to the Defence of his Dominions. With his numerous Army he might really have now been in this State; but the Men of Consequence and Abilities are all disgusted, and only want the Absence of the Brigade to enter into Parties against his Government, all openly declaring their Dissatisfaction.

"When the Nabob was at Lucknow, he promised his Matchlockmen, as well as his Sepoys, an Increase of Pay, which, on his Arrival here, he refused to grant them. The Nudjif Fultan, in Consequence, demanded their Arrears and Dismission; but the Nabob gave up the Point, by allowing them Eight instead of Six Rupees a Month, and they are again satisfied to stay in his Service. Whilst the Dispute lasted, it was natural for them to use any Artifices to induce the Nabob to comply with their Demands. The Name of Saadut Ally was introduced for one; but I believe it was without his Consent, and merely to serve their own Purpose, as upon this, and every other Occasion, he has been very careful not to give the least Cause of Jealousy. This shews the Temper of the People, and what a Party might be raised for. I do not understand the Army in general are satisfied, notwithstanding the Increase of their Pay.") §

["In my Letter of the 8th instant, I informed the Honble. Board of the critical Situation to which Nudjif Cawn was reduced. The Rajpoots have every Day become more formidable. The dissatisfied

disaffected Rohillahs have deserted to Noot Sing. Sumroe is still suspected, and Maddock is all thought of, as, upon Pretence of a slight Indisposition, he has delayed joining Nudjif Cawn. The last Resource of Nudjif Cawn has been to solicit the Nabob Afuf-ul-Dowlah to send him Assistance, to which he consents, upon certain Conditions. His Excellency has favoured me with the Copies of the Letter and Answer on this Subject, which I herewith enclose. He asked my Opinion, whether the Honble. Board would approve of his Determinations to assist Nudjif Cawn. I told him "I supposed you would, but I could not positively say." It is generally thought politick, on the Part of the Nabob, to adopt this Measure, as it will prevent the Marattas from extending their Dominions too far; but I fear the Nature of the Assistance his Excellency may send, will prove of little Effect, as he purposes to have a great Part of the Detachment composed of such Troops whose Arrears of Pay he cannot at present discharge, and it is more probable than not, that they will mutiny. On the taking of Camao, it was imagined Nudjif Cawn got much Treasure by it; but it has since proved to be false. For the Information of the Honble. Board, I enclose an Extract from a Paper of Intelligence relative to the Marratta Chief in Guzzerat.

"As I thought the Nabob had private Reasons for his late Conduct, which I could not immediately discover, I was induced to be very particular in my Inquiries; and I have been told by One or Two Persons, that he this Day said, 'There was a French Fleet of Forty Ships of War coming out to attack the English; but he would assist us, and be paid for it.' Although I do not give entire Credit to his having made this Speech, yet it is so very extraordinary a one, that I think it my Duty to lose no Time in repeating it; especially as there are concurring Circumstances which give Reason to suspect the French have Designs, particularly from the Facts related in my Letter of the 20th Ultimo."]

"I am, &c.

(Signed) "John Bristow,
Resident at the Court of the Nabob of Owd."

(Signed at the End of the Consultation)

"Warren Hastings,
J. Clavering,
Geo. Monson,
Rich^d Barwell,
P. Francis."

Read, also, from the same Book, the following Extract of a Consultation of the 11th May 1775, beginning at Page 2,200 of the same.

"Fort William, 11th May 1775.

Secret Dept.
Thursday.

"At a Council; Present,
The Honble. Warren Hastings, Governor General, President;
Lieut. General John Clavering,
The Honble. George Monson,
Richard Barwell, } Esquires.
Philip Francis, }

"Read and approved the Consultation of Yesterday.

"Received the following Letter from Mr. Bristow, Resident with the Nabob of Owde.

Mr. Bristow,
Two Letters.

"Rajigyr Gaut opposite to Konnoje,
the 25th April 1775.

"To the Honble. Warren Hastings Esquire, Governor General, and the Members of the Honble. Supreme Council.

"Honble. Sir and Sirs,

["I wrote last on 21st instant, and now trouble the Honble. Board with the Extract of a Paper of Intelligence, which will prove a further Confirmation of the Designs of the French. I am also convinced of the Nabob's having made the Speech relative to the Forty French Ships of War, mentioned in my Letter of the 15th instant, as it is proved to me by the Evidence of Persons present at the Time. In order to prevent its gaining Ground, to the utmost of my Ability, I have asserted the whole Navy of France does not amount to Forty Ships; but I suppose I am disbelieved, as it may be imagined I wish to raise the Idea of our own Power by lowering that of the French."]

§ ("Murtezhah Cawn arrived Two Days ago, and informs me he has brought more than Money sufficient to liquidate the Demands of the Company, both for the Subsidy and the Stipulation on Account the Conquest of the Rohilla Country. I am now positively promised Payment To-morrow, and after securing it shall immediately proceed to the Negotiation of the Treaty.")

* See in Orig.

["There * has been several Skirmishes between small Parties of Horse on the Part of Nudjif Cooty Cawn and the Rajpoots; the latter have upon the Whole got the better, but no considerable

on decisive Battle worth mentioning has yet happened. Nudjif Cooty Cawn still remains encamped within a few Cos of Camao, and Nudjif Cawn, whose Health was almost thoroughly re-established, intended to leave Delhy as Yesterday, in order to go and join his Army."]

§ (" The Negociation of the Vizaret, owing to the Causes stated in my former Letters, is still
 " procrastinated without any Prospect of its being concluded; on the contrary, the King talks
 " of granting it to one of his Sons: His Motives * for this Conduct proceeds solely from the
 " Nabob Asfuf-ul-Dowlah's not settling the Peshcush, which he can but ill spare just at the
 " present Juncture, after paying the Demands of the Company and the current Charges of his
 " Government. When I informed the Honble. Board of this being the Season for the great
 " Collections, I had Reason to imagine the Nabob would, since his Accession, up to the present
 " Date, have realized about Seventy Lacks, instead of which Twenty-five Lacks, Thirty at the
 " most, have been received. The outstanding Balance may, or may not, be recovered hereafter;
 " but the Honble. Board well know the Difficulty that occurs when the Period of Payment is
 " once suffered to elapse.")

* See in Orig.

§ [" Murtezah Cawn has wrote to Ellije Cawn, that the Charge entrusted to him is too much for
 himself alone to execute, and encourages him to return and assist him with his Advice. At first
 Ellije Cawn's Prefence was dangerous to Murtezah Cawn, as until he had obtained his Master's
 entire Confidence, he feared his proving a formidable Rival. At present this Apprehension is
 entirely subsided, he having the sole Management of all Affairs, and only wants to completely
 ruin the other by getting him into his Hands. Ellije Cawn did again apply to me about his
 staying at Delhy, and according to the present doubtful State of my Negotiations, I thought it
 prudent to advise him (without giving my Reasons) to make some Pretence for a Delay. In the
 Interim I may receive the Commands of the Honble. Board, in Consequence of my Letter of the
 2d instant."]

" I have the Honour to be, &c.

(Signed) " John Bristow.

(Signed at the End of the Consultation)

" Warren Hastings,
 J. Clavering,
 Geo. Monson,
 Rich^d Barwell,
 P. Francis."

Read, from Book 11, already delivered in, the following Extract of a Consultation
 of the 12th of June 1775, beginning at Page 108 of the same Book.

" Fort William, 12th June 1775.

" At a Council, Present,
 The Honble. Warren Hastings, Governor General, President;
 Lieut. General John Clavering,
 The Honble. George Monson,
 Richard Barwell, } Esquires.
 Philip Francis, }

Secret Dept.
 Monday.

" Received the following Letter from the Resident of the Court of Owde.

" Fyzabad, the 28th of May 1775.

" Honourable Sir and Sirs,

§ [" My last Address was dated the 22d instant. I am now to acknowledge the Honble. Board's
 Letter of the 27th ult. and shall obey their Orders in continuing my Solicitations on the Sub-
 ject of the Rohilla Families in the Manner they are pleased to direct. Resident at
 Owde.

" The Account of Subsidy forwarded me by the Honble. Board, differing in no less a Sum
 than Owd Sicca Rupees 3,96,982 8 from that furnished by the Deputy Paymaster to the Second
 Brigade, I requested an Explanation of it from him, but he has informed me that he thinks it
 must arise from some Error in the Accounts transmitted by Mr. Robert Burgh to the Sub-ac-
 comptant, and that if I will wait till he hears from that Gentleman, he will then explain the Mat-
 ter &c &c."]

§ (" I informed the Honble. Board of his Excellency's Intention to come to this Place, and I of
 course attended him, especially as he purposed to stay a much longer Time than he at first
 intended. Having unexpectedly settled his Business very soon, he set off Yesterday for Camp,
 " and To-morrow I do myself the Honor to follow him.
 " The declared Intent of his Journey was to see Buhhoo Begum, in consequence of a slight
 " Indisposition she laboured under, but it was in fact to procure Money from her upon Pretence
 " of defraying the Charge of the Peshwah to the King. His Excellency asked for Twenty Lacks,
 " and obtained a Promise for Six, which he has left proper Persons to receive.")

§ [" In consequence of the Recall of Ellije Cawn, the Nabob has deputed Nyaz-Ally-Cawn (a
 Person never before employed in any Station of Importance) to conclude the Negotiation of the
 Vizaret.

(1890)

Vizaret. He is authorized to go as far as Ten Lacks: Indeed this Sum had been settled by Elje Cawn, but as it was never the Intention of the Nabob to obtain it by his Means, he always alledged the low State of his Treasury as an Excuse for not sending the Peshcush, but Nyaz Ally Cawn has, I really believe, Powers to settle every Point. The Appearance of Favour is still continued to Ellije Cawn; he is encouraged by the fairest Promises on the Part of the Nabob; Murtehze Cawn also writes him in the most friendly and confidential Style to return, as he will entrust him with the principal Management of the Nabob's Affairs, and divide with him the Honor and Credit of his Station, which he pretends to find too laborious to execute without his Assistance. Ellije Cawn considers these Promises, after the Treatment he has met with in the Negotiation of the Vizaret, as Snare laid to seize him, and dares not trust them. In regard to Nudjif Cawn, on his arriving at Camao, he consulted with this Sirdars upon the Plan of Operations. Madee and Affrahyal Cawn advised him to march towards Goordahun near Dyke. Nudjif Cawn and Sumroo, towards Joynegar, as Row Pertal Sing, the Rajah of Matchry, who commands a Body of about 5,000 Men in the Enemy's Army, had secretly corresponded with Nudjif Cawn recommending this Measure. Nudjif Cawn approved of the latter Plan, and really went One or Two Days March from Camao, but by having left his own Country without a sufficient Force to defend it, or even secure the Revenue, he was obliged to return. The Enemy in the Interim had invested Camao. On Nudjif Cawn's Approach, in his Way back, they raised the Siege, and retreated under the Walls of Dyke, from whence they could not be brought into the field. By the last Advices Nudjif Cawn was at Barrassaana, Six or Seven Cofs from Dyke. He has repeatedly challenged the Enemy to come to an Engagement, telling them, it is the best and speediest Way of deciding their Differences; that to prolong the War is equally destructive to them both, and disrespectful to their Reiahs, for although he would not willingly plunder or hurt the Country, yet his People must be supplied with Provisions, and Necessity will thus make him do what he would otherways wish to avoid. The Enemy continue to be much intimidated, and wish for Peace. Nudjif Cawn too does the same, for notwithstanding he has every Prospect of getting the better, if they were to come to Action, yet, being greatly distressed for Money, the prolonging of the War will be equally prejudicial to him as a Defeat, since he cannot long keep his Army together without some speedy Supplies.

" By late Intelligence of the Operations of the English in Guzerate, they had marched a few Cofs from Cumbage, in Company with Rogonaut Row; that Hurry Pundit had attacked them, been defeated, and lost a Number of Men: This is all that is said about the Matter, and I wish it was more particular for the Information of the Honble. Board, but the Distance and the Obstruction to Travellers prevent a constant Intercourse.

" The Sikes have made a fresh Demand on Sabiter Cawn for Five Lacks, instead of Fifty thousand Rupees; they have advanced some small Distance, and occasioned a great Alarm, but I do not hear of their having committed any Violence, or seized any Places as yet."

" I have, &c.

(Signed at the End of the Consultation)

" Warren Hastings,
J. Clavering,
Geo. Monson,
Rich^d Barwell,
P. Francis."

Read, from Book 12, already delivered in, the following Extract of a Consultation of the 25th of September 1775, beginning at Page 410 of the same Book.

" Fort William, the 25th September 1775.

Secret Dept.
Monday.

" At a Council; Present,
The Honble. Warren Hastings, Governor General, President;
Lieut. General John Clavering,
The Honble. George Monson,
Richard Barwell Esquire.
Mr. Francis indisposed.

" Read, the following Letter from Mr. John Bristow, Resident at the Court of the Nabob Afoph ul Dowla.

Mr. Bristow.

" Honble. Sir, and Sirs,
[" My last Letter to the Honble. Board was dated the 5th instant, and I have since received theirs of the 26th ult.

" In my Address of the 14th ult., I mentioned our having had plentiful Showers of Rain, since when, they have continued in some Degree, though not enough to ensure a large Crop, yet totally to dispel all Fears of a Famine, and to render it unnecessary to put the Company to the Expence of laying in a Stock of Grain.]

(" The

(1891)

§ (" The Nabob set off Yesterday for Fyzabad; but some Days ago he sent Murtezeh Cawn to me to request that I would not correspond with Buboo Begum, nor forward Letters between her and the Honble. the Governor General, without letting him know the Subject of them. He said it was not desired to break off the Correspondence; he only wished to have the Customs of his Country and Hindostan adhered to, and not to see the Begum support a Connection with the Company, independent of him; for as the natural Weakness of her Sex, and her Mode of Life, rendered it impossible for her to be capable of judging properly, she might even unintentionally be led into Measures incompatible with his Interest. My Correspondence with the Begum commenced at Fyzabad, in my Road to join the Nabob, on my first taking Charge of my Appointment. The Honble. Board well know it was wholly unsought and unelicited by me: It has since then been solely complimentary, and to convey her the Commands of the Honble. Board relative to accommodating her in her intended Voyage to Korb-ulla. In Answer to the Nabob's Request, I desired of Murteza Cawn to acquaint him, that it was contrary to the Intentions of the Honble. Board to give him any Cause of Jealousy, and that I could assure him they had always considered him as the Soubahdar of these Provinces, and any Connection or Correspondence held with the Begum was out of Compliment to him; that he might be satisfied nothing had yet passed incompatible with his Interest, for the English were too much his firm Friends to attempt it; but I recommended it to his Excellency to write his Sentiments himself to the Governor General. On my afterwards speaking to the Nabob, he said he had given a Letter to Murteza Cawn for me to forward. He neglected to deliver it to me, or else has dispatched it by his own Dawks; but he purposes to send a Duplicate on his Return from Fyzabad.

" The Nabob's real Object in this Request was to prevent the Company from interfering between him and the Begum, as he apprehended on her hearing of his intended Visit, that she would apply to the English for their Protection: His Excellency was right; for the very Night before his Departure, I received a very pressing Letter from the Begum, a Copy of which I enclose, (No. 1.) desiring of me to come to Fyzabad: She also intimated through her Agent, that she feared the Nabob was angry with her, and threatened to take away the Life of her principal Agent, and dishonour and disgrace her, because she had corresponded with the Honble. the Governor General, which I considered in some Measure a Finesse, and to make the English become a Party in her Dispute. The original Cause of it is, that his Excellency wanted to receive a considerable Part of the late Vizier's Treasure, it being the Mussulman Law, that One-eighth of the Estate of a deceased Person should descend to the Widow, and Seven-eighths to the Sons and Daughters. Now the Begum has withheld the Whole; of the Injustice of which the Nabob complains, as he is in the greatest Distress, and there is an immense Sum laying uselessly in her Hands: I nevertheless thought I could not with Propriety interfere in domestic Matters without special Orders; but still for Fear * of Compulsion or Violence should be used, and the English Name be introduced in a Manner derogatory to the Honour of the Nation, I judged it proper, on receiving the Begum's Letter, immediately to wait upon the Nabob with a written Representation agreeable to the enclosed Copy, (No. 2.). At the same Time I assured him, it was not my Intention to interfere (unless the Honble. Board should hereafter direct me); and that the sole Motive of my giving the Representation was, that the World might know whatever Difference should have arisen between him and the Begum had no Connection with the English, and I hoped their Name even would not be introduced. His Excellency assured me that the Dispute wholly related to himself, and that he would not in any Manner mention the English as the Cause." §

§ [" Enclosed is an original Letter (No. 3.) to me from Delleer Cawn, and the Extract of One (No. 4.) from Rouondut Roy to Shaver Cawn the Jaut Vakeel. I cannot say what Dependence is to be laid on Delleer Cawn, as his Country is at such an immense Distance from hence, being near Heyder Ally's, that I find it impossible to make Inquiries concerning him with Accuracy. I never heard of Delleer Cawn before I received his Letter: It contains, however, an extraordinary Proposal; and I have therefore sent Colonel Upton a Copy of it, that if it should come within his Line he might, in case of this Chief's Alliance being worthy the Notice of the Company, pay proper Attention to it. I have sent an Answer to Delleer Cawn, desiring of him to write to the Honble. the Governor General by the shortest Conveyance, and to apply to Colonel Upton on his Arrival at Poona."]

" Lucknow,
9th September 1775:

" I have, &c.

(Signed) " John Bristow,
Resident at the Court of Oude." (a)

(Signed at the End of the Consultation)

" Warren Hastings,
Rich^d Barwell,
P. Francis."

(a) Vide Appendix, N^o CCCXIII.

(1892)

Read, from Book 75, already delivered in, the following Extract of a Consultation of the 18th of October 1775, beginning at Page 727 of the same Book.

Secret Dept.
Wednesday.

“ Fort William, the 18th October 1775.
“ At a Council; Present,
The Honble. Warren Hastings, Governor General, President;
Lieutenant General John Clavering,
The Honble. George Monson,
Richard Barwell, } Esquires.
Philip Francis, }

“ Read, the following Letter from Mr. Bristow.

“ Honble. Sir, and Sirs

“ Since my last Address of the 9th instant, the Nabob is returned from Fyzabad without having obtained any Money from the Begum. I understand she received him with great Warmth; but she had before his Arrival declared her Intentions of not giving him Money upon any Account, for she pretended not to have any. His Excellency behaved to her with the greatest Respect; told her he studied her Satisfaction prior to every other Consideration, and knowing her Resolution, thought it proper to defer the demanding of Money from her until another Opportunity, hoping, by this Conduct, to soothe her Excellency. Without he receives some Assistance from her, he must be put to great Inconvenience for the Means of supplying the Exigencies of his Government.

“ Lucknow,
18th September 1775.

“ I have, &c.
(Signed) “ John Bristow,
Resident at Owde.” (a)

Read, also, a further Extract from the same Consultation, beginning at Page 723 of the same Book.

“ Read, the following Letter from Mr. Bristow.

“ Honble. Sir and Sirs,

Mr. Bristow.

“ I had the Honour to address the Board last on the 18th instant.

“ Ellije Cawn is the only Instance of my affording an Individual the Company's Protection: The Manner in which this Connection was formed appeared, in my humble Opinion, the Interest of the Company; at the same Time that it was wholly unsolicited by me. Ellije Cawn was particularly urgent on this Occasion, and repeatedly wrote me that he could not trust either Mentezah Cawn or the Nabob, yet he would return if I should write him to do it.

“ He has now refused to come without having, previously thereto, a Treaty executed by me in the Name of the Company. I thought this Request an Insult, for whatever the Nabob might have done in concluding a Treaty with a Subject, it was no Precedent for other States to follow: It was a Sign of the Weakness of his Government, and a similar Act from the Company appeared to me inconsistent with the Character they support in Hindostan. I did intend to have sent Ellije Cawn no Answer, but I apprehended Reports might have been spread injurious to the Credit of the English, and I therefore wrote him a Letter, explaining the Nature of his Connection with the Company; and as it is a Relation of all material Facts that have occurred between him and me, I troubled the Honble. Board with a Copy of it, N^o 1.

“ The principal Objection made by Ellije Cawn is, that Murteza Caun has avowedly professed a Friendship for him, and privately caused Misrepresentations to be made to the Nabob of his entertaining Designs incompatible with his Duty, and used other Means to deter him from coming; for instance, Ellije Cawn had Two Mutesuddies who executed all Business intrusted to him by the late Vizier: Being disgusted with Ellije Cawn they ran away from him, and took Refuge with Cossim Cawn Mundet, One of the Nabob's Chiefs. He apprehended they would give the Nabob a fallacious Statement of his Accounts, whereupon Pretences might have been formed to exact Money from him.

“ As his Excellency had been pleased, in his Treaty with Ellije Cawn, to grant him an Indemnification from all past Offences, I procured a Letter from Murteza Cawn, engaging to deliver up these Two Mutesuddies immediately on his Arrival: Excepting this, all other Matters, on which Ellije Cawn applied to me, were wholly contrary to the Letter of the Treaty. I, notwithstanding, on many Occasions interceded in his Favour, and succeeded. In these Instances, though I took particular Care to avoid the Appearance of encroaching upon the Nabob's Authority, and I never applied to him without being assured of his acquiescing, even my interceding for replacing the Negotiation of the Vizierat in his Hands, was backing a Proposal from Murteza Cawn; for he first asked it of the Nabob, and I seconded it; and, at his Excellency's particular Request, wrote Ellije Cawn, encouraging him to be active in obeying his Master's Orders. The Honble. Board are already informed how this Negotiation ended: There was no apparent Cause why I should entertain any injurious Impressions of Ellije Cawn for his failing in it, because it

(a) Vide Appendix, N^o CCCXIV.

is beyond a Doubt that the King had Hopes given him of a larger Sum for the Peshcush than he had offered. But Ellije Cawn has been acting the same double Part with me that Murteza Cawn did with him, for whilst he was making me the strongest Assurances of returning, he privately agreed to enter into Nudjef Cawn's Service, though at that very Time he actually held Offices under his Excellency the Nabob Aufuf ul Dowlah. I hope the Honble. Board will be convinced that Ellije Cawn could have no other Design than to gain Time, and form Connections with foreign Princes to the Prejudice of his own Sovereign, and to countenance him under such Circumstances would, I humbly conceive, have been contrary to the Alliance subsisting with the Nabob; besides this he departs in every Sense from the Spirit of our Connection with him, as he wants to make the Company Parties in a Negotiation where they were only the Mediators.

" At the Time Ellije Cawn was first wrote to, and the Treaty from the Nabob sent him, had he come his Affairs might have been settled with Ease; but at the present Juncture, whilst there reigns much Confusion, innumerable Difficulties will occur, and, in case of Ellije Cawn's Life being affected, it would be a very disagreeable and delicate Point to settle. In short, this Negotiation gives a true Idea of the Suspicions and bad Dispositions of the Natives of this Country, for Murteza Cawn had positive Promises from me that Protection should not be given to Ellije Cawn to his Master's or his Prejudice, and the same in Regard to Ellije Cawn. He had every Security that could be reasonably expected. There is no answering for a Man who will spare neither Promises nor Assurances to deceive; and, in order to convince the Honble. Board of the Duplicity of Ellije Cawn's Conduct, I enclose a Copy, N^o 2, of his Letter to me, mentioned in the Enclosure N^o 1; many others I have received in the same Style, with which it is unnecessary to trouble the Honble. Board.

" I should not have been so particular on this Subject; but, as we are to look to the Nabob's Ministers for all Measures planned and conducted in his Government, it is necessary to inspect minutely into their Conduct and Views. The Nabob now tells me he purposes to take the Field in about a Month; I shall therefore very shortly fully state to the Honble. Board the present Situation of foreign and domestic Affairs, in order to afford the best Lights in my Power on the Events likely to happen.

" Lucknow,
20th September 1775.

" I have, &c.
(Signed) " John Bristow,
Resid^t at Owde.

(Signed at the End of the Consultation)

" Warren Hastings,
Geo. Monson,
Rich. Barwell,
P. Francis." (a)

Read, from Book 12, already delivered in, the following Extract of a Consultation of the 25th September 1775, beginning at Page 415 of the same Book.

" Fort William, the 25th September 1775.

" At a Council; Present,
The Honourable Warren Hastings, Governor General, President;
Lieutenant General John Clavering,
The Honble. George Monson,
Richard Barwell Esquire.
Mr. Francis indisposed.

Secret Dept.
Monday.

" Read, and approved, the Consultation of the 18th instant;
" Agreed on the following Reply to Mr. Bristow.

" Sir,

" We have received your Letter, dated 9th instant, with its Inclosures.

" We do not know of any Correspondence carried on between this Government and Buboo Begum, excepting that which respects her Intention to proceed to Korb ulla, and with which you are fully acquainted. The Substance of this we think you may with Propriety communicate to the Nabob, and therefore we enclose Copies of the Answers written by the Governor General to her Letters, which containing the Purport of the latter, will shew the Nabob the Nature of the whole Correspondence.

" We desire you will assure the Nabob that we do not mean to interfere in the least in any of his domestic Concerns; nevertheless we would have you represent to him whatever you think may reflect a Disgrace upon his Character in his Behaviour towards his Mother; and that we are of Opinion her Request to be allowed to proceed on a Pilgrimage to Korb ulla is but reasonable, and therefore ought in Justice to be complied with.

" We are, &c." (b)

To Mr.
Bristow.

(a) Vide Appendix, N^o CCCXIV.

(b) Vide Appendix supra, N^o CCCXIII.

Read,

(1894)

Read, also, a further Extract from the same Consultation, beginning at Page 420 of the same Book.

“ Inclosures in Mr. Bristow’s Letter to the Board of the 9th of September.

N^o 1.

“ Copy of a Letter from the Aleah Begum to Mr. Bristow.

“ I am in Health, and am always anxious for your Welfare.

“ The Nabob Atoph ul Dowla has already, Three different Times, taken from me all I possessed; and it is confidently reported here, that, incited by the Persuasions of the People about him, he is again coming to raise further Disturbances: I therefore write to request you will, without Fail, accompany him, and stay Two or Three Days, which is absolutely necessary. Certain Persons are desirous of effecting the Destruction of this Family. It is now out of my Power to furnish any further Supplies of Money. Whatever I was possessed of has been taken from me. I have now nothing to do with the Nabob Atoph ul Dowla. I am desirous that, whilst I remain here, it may be with Honour, and have therefore retired from worldly Affairs, and have no Connection with any one.

“ It is well known to you, that Sums of Money have been thrice taken from me already. The Report which now prevails has induced me to write to you to come here for Two or Three Days, that we may learn of each others Welfare.

“ Write me continually concerning your Health, and inform me if you approve of coming here. I have caused this Letter to be written in my Presence, by my Moonshy.

N^o 2.

“ Copy of a Representation from Mr. Bristow to the Nabob Atoph ul Dowla.

“ The firmest Friendship and most perfect Harmony subsists between your Excellency and the English Chiefs, and I am persuaded it is your mutual Design to preserve them on all Occasions inviolate.

“ As your Excellency has lately determined on a Journey to Fyzabad, and it is reported that you have conceived a Displeasure against the Alliah Begum, one Reason for which is, the Correspondence which she has held through me with the Governor and Council; I beg Leave to represent to your Excellency, that the Correspondence between the English Chiefs and the Begum was entirely to give Pleasure to you. Nothing relative to the Affairs of the Country, the Powers of Hindostan, or any Thing which might tend to your Excellency’s Dishonour, was ever made the Subject of it.

“ I am hopeful that your Excellency will not entertain any Displeasure against the Begum, on Account of this Correspondence, nor introduce the English Name on such an Occasion; for the English Chiefs were induced to write to the Begum solely in Consideration of their Friendship to you. Your conceiving any Displeasure against the Aleah Begum, or any other Person, on Account of their holding a Correspondence with English Chiefs, will be very dishonourable to them, and inconsistent with the Dictates of Friendship.

(Signed at the End of the Consultation)

“ Warren Hastings,

Rich^d Barwell,
P. Francis.” (a)

Read, from Book 75, already delivered in, the following Extract of a Consultation of the 8th of November 1775, beginning at Page 824 of the same Book.

“ Fort William, the 8th November 1775.

“ At a Council; Present,
The Honble. Warren Hastings, Governor General, President;
Lieutenant General John Clavering,
The Honble. George Monson,
Philip Francis Esquire.

“ Received the following Letters from Mr. Bristow.

“ To the Honble. Warren Hastings Esquire, Governor General, and the Members of the Honble. Supreme Council at Fort William.

“ Honble. Sir, and Sirs,

“ I had the Honour to write last on the 6th instant. The Honble. Board are already fully convinced of the distracted State of the Nabob’s Government. In the guaranteed Provinces, though the Brigade is upon the Spot, yet he is exceedingly ill obeyed, and in many Parts his Troops have

(a) Vide Appendix supra, N^o CCCXIII.

(1896)

been defeated, and only Seven or Eight Days he was obliged to dispatch Six Battalions to reinforce those on Command. • Sic in Orig.

“ A great Part of this Country is possessed by Zemindars, who having held their Lands in their Families for a long Period of Time, support a personal Influence with their Reiate, and can at all Times induce them to resist the Aumils. The Zemindars ever evade the Payment of their Rents, frequently from a Spirit of Litigiousness alone, and as frequently from the Demands of the Aumils, exceeding the established Custom. Military Men are generally appointed to this Station. They have been accustomed to exercise almost Unlimited Authority; for if the late Vizier obtained the Money, he little regarded the Means, and when Balances accrued, he compelled the Aumils to make good the Sums out of their private Fortunes, imagining that they must have embezzled the Deficiency, or caused it by their Negligence. This was the Consequence of Oppressions, for the Complaints of the People were only a Pretence for him to make Exactions from the Aumils, and the Man, who but a Month ago refunded the Fruits of his Extortions, was frequently entrusted with the Management of an extensive Department.

“ We may judge from what is above recited, that neither the Aumils nor the People will ever pay their Rents regularly but when compelled, and without the Nabob is punctual in demanding them, numberless Evasions will be made. This indeed is the Case, for he himself confessed to me, that instead of Twenty Lacks, which ought to have been collected on the new Year, he had received hardly Ten; he said it was much owing to the Drought, though I believe we may impute the principal Causes to be the Want of Vigour and Regularity on his Part, in not obliging his Aumils to the Discharge of their Duty; for at this early Period, the Dearness cannot well be materially felt. At all Events I fear what has passed cannot be retrieved for the Season, for the Collections once suffered to elapse without enforcing Payment, the Balances are rarely recovered, and if at all with the greatest Difficulty.

“ To add to this unfortunate Circumstance, the Nabob has not yet been able to procure any Money from the Begum. Immediately on his Return from Fyzabad, he stated his Distresses to me, and begged of me to use my Endeavours to persuade the Begum to assist him. I wished to have declined complying with his Excellency's Request, especially after he had indirectly objected to my having any Correspondence with her; but being sensible of his Necessities, I consented upon the Condition of his not expecting of me to use violent Measures. I accordingly went to Fyzabad, and explained particularly in Writing to the Begum how impossible it was for the Nabob to conduct his Government without her Assistance, and likewise insinuated to her that she could not complain of him, for he had granted her an additional Jaghyr of Four Lacks a Year for the Sums he had already borrowed of her, and treated her with great Respect. I further insinuated to her that the Treasures she possessed were the Treasures of the State, as she had not succeeded to them by any legal Right, and they had been hoarded up to provide against an Emergency; that that Emergency was arrived, and I recommended it to her to spare his Excellency the Sum of Fifty Lacks as a Donation. If this did not please her, to let the Treasure be divided according to the Laws of the Koran, or else grant him a Loan, and that I could engage for the Repayment of it.

“ After much Persuasions the Begum agreed to pay the Nabob Twelve Lacks; and this she declared was wholly to oblige me, and upon the Conditions of the Company's being to secure her the Possession of her Jaghyrs for Life, and that the Nabob should not interfere with her upon any Account. I excused myself because of the Insignificancy of the Sum, but offered to comply with her Terms in case of her granting Fifty Lacks. This I had Authority for from the Nabob, who, on desiring me to undertake the Negotiation, repeatedly and earnestly expressed his Desire not to use any Violence; and in order to prove it, he said he would submit to the Company's being Mediators of all Differences between him and the Begum; but it was hard, when reduced to such Distress, that his Mother should uselessly keep up immense Treasures.

“ On my Return, his Excellency approved of my Conduct, and desired of me to write to the Begum very fully, again explaining his Situation to her; that I had interfered merely to prevent any Differences or Doubts subsisting between them, which I thought the Part of a mutual Friend; that I had always dissuaded the Nabob from violent Measures, and would continue my Endeavours; but the Point in question was a domestic Matter, in which I could not insist on his Excellency's following my Advice.

“ The Begum, in her Answer, complained much of the Administration of Affairs; and told me, in plain Terms, that what she would do should be for the Sake of the English, and as for the Nabob, she would not advance him a single Rupee upon his Word, but sooner throw her Jewels and Money into the River. On my presenting the Letter to his Excellency, he again desired of me to go to Fyzabad, and as there were great Doubts entertained of the Eunuch employed between the Begum and me, not having explained my Representations fully to her, but concealed such Part as did not conform to his Views, the Nabob ordered Sellar Jung and Bussant Ally Cawn to go to Fyzabad also, and follow Murtehzeah Cawn's and my Advice, in making any additional Representations which might be found necessary. It is generally believed the Begum has Four Crores in her Possession, but I fancy I may venture to say she has One Crore and Seventy Lacks—Considering this immense Sum, I hope now we are all here, and when Circumstances are impartially stated, that she will yield to our Persuasions.

" Anoop gyr and Amrow gyr act now more disrespectfully than ever to the Nabob. In an Instance of some Horses for Captain Toone's Troop, passing their Districts, I had procured the Nabob's Dustuck. The Horses were stopped at many of the Chokeys, and the Man who had Charge of them was told immediately from Anoop gyr, ' That Twenty Dustucks from the Nabob would be disregarded, but One Slip of Paper from Nudjiff Cawn would suffice.' On my sending to Anoop gyr's Vackeel to inform him of this Circumstance, he waited on me, and desired me never to apply to the Nabob, but to send for him, that he might inform his Master, who would take Care that no Dependent of the English should meet with Impediments. Anoop-gyr refused to come to the Nabob. Upon some frivolous Excuse Amrow gyr did come. During his Stay he paid me a Visit, and desired me not to look upon him as upon the other Officers of the Nabob's Government, for he was no Mottesseddy, but a Soldier, and hoped that I would return his Visit; that he considered himself obliged to his Sword, for every Thing he held, and repeatedly threw many Reflections upon the Nabob, whom he pretended to disregard, but said, he wished much for the Friendship and Protection of the English. I heard him out, and then told him, I considered Men only as they were attached to the Nabob Auffuf ul Dowlah, who was the firm Ally of the English, and that he must expect we should look to his Satisfaction prior to every other Consideration, and furthermore, that I could not give him the Friendship and Protection of the English. In regard to returning his Visit, I said my Station excused me from it; besides, I did not know if the Nabob would like it.

I informed the Nabob of all that passed, and observed to him, that a Man who expressed himself in this Style ought to have no Terms kept with him, and advised his Excellency to seize him at once. He answered, he had formed a better Plan of marching towards the Doab, and taking the Country out of the Possession of the Gossaynes, and he thought on his Approach that they would run away. How this Enterprize will end I cannot say, for it is certain the Nabob's Troops have no Confidence in him, and the Fidelity of Myr Aszul's Corps now with the Gossaynes is much doubted. Anoop-gyr and Amrow-gyr have Ten thousand Foot and Nine thousand Horse Men of their own Cast in their Pay, whom they can depend on. They are, I understand, daily collecting together Ammunition, entertaining new Troops, using their best Endeavours to attach the Rana of Goad, the Rajas of Bundelcund, and all the petty Rajas in the Neighbourhood, to their Interest. I think it probable though, that the Whole of them will look on, and be the Friends of the strongest. In the late conquered Countries the Gossaynes demand very low Rents, if any, of the Zemindars, and try, by all Means, to attach them to their Cause. Upon viewing the Conduct of the Gossaynes, I think there seems little Appearance of their running away, and I am therefore the more anxious about the Affair of the Money, for without getting it, the Nabob tells me he actually cannot take the Field; the Consequence will be, giving Time to foreign Powers, whenever any One shall be able to do it, to join the Gossaynes. Notwithstanding the Nabob is so well informed of the Conduct of these Chiefs, he gave Amrowgyr a very honourable Dress on his Departure, and delivered him another for his Brother. The whole Sum he consented to pay at this Juncture, was Three Lacks of Rupees. He pretended this was not due from him, and, in short, that the Nabob owes him and his Brother Twelve Lacks, for Monies advanced to pay the Expence of the War, &c.

" Sureet Sing is arrived at Darra Negur, and has taken upon him the Management of the Affairs of Rohilcund, but a very inconsiderable Sum is as yet realized. There are Parties upon the Spot; Murtehzeah Cawn of Baraich, and Lettafut Ally Cawn, are supposed to be disaffected, and ready to join the Nabob's Enemies. These Chiefs were before ordered to march to Dehly, but, on the Flight of Basheer Cawn, countermanded, and as the * Views the Nabob had in it was the Settlement of the Matter of the Vizarut, I shall (agreeable to the Honble. Board's Orders) use my best Endeavours to dissuade him from suffering any Troops to be sent to the King, in the present State of his own Affairs. As to his Excellency's Journey to Delhy, he now tells me he shall entirely drop all Thoughts of it.

" My former Letters speak fully of the Discipline of the Nabob's Army, and it is now, if possible, upon a still worse Footing.—A few Days ago a Man, belonging to the Nudjiib Regiment, quarrelled with a Sepoy, and their Dispute coming to Blows, the latter was killed. The whole Corps of Sepoys, to the Number of Eleven Battalions, and the Corps of the Nujib, with the Cavalry on their Side, drew up one against the other, and the Nabob, with the greatest Difficulty, prevented them from fighting. It was not by punishing himself the Offender, by a fair Trial, but by delivering him up to the Discretion of the Sepoys, who, upon this Event, made a general Discharge of the Artillery.

" The Day after this had happened, the Sepoys found out that One of their Commandants had secreted Five thousand Rupees received at Mindy Gaut, to distribute amongst the Heads of a Set of Mutineers, who had created a Disturbance when the Army was encamped in that Place.—They beat the Commandant.—The Nabob interfered, and with much Intercession saved his Life, but at the same Time he himself received many Insults from the Ranks. The next Day the Nabob wished to possess himself of the Artillery in the Charge of the Sepoys, and sent two Companies as an Escort to bring it. The whole Corps saw through the Design, and returned his Excellency for Answer, ' that they could take very good Care of it,' and would not suffer a Gun to be moved, *

* Sic in Orig.

moved, and in this Manner they conduct themselves upon all Occasions, obeying the Nabob's Orders or not, as they think proper.

" Another very striking Anecdote happened on our Arrival at Lucknow, in a Battalion under a Frenchman, who, having been on Command, had preserved some Kind of Discipline—on his joining the Nabob's Army, Fifteen Sepoys behaving ill, he dismissed them the Service. The other Sepoys on the Spot reproached those of the Frenchman's Battalion for submitting to such an Indignity; that if any Thing of the Kind was once suffered, they would hereafter be perpetually ill treated, and insisted upon their making it a common Cause—They in Consequence assembled in the Night, severely beat their black Officers upon the Pretence of their giving the French Commandant bad Advice, but never touched the Commandant himself. The Affair ended by the Nabob's yielding the Point, for he re-instated the Fifteen Sepoys—The French Commandant was one Soulier, who holds a Commission in the French Service—Shortly after this Event he applied to me for a Passport into Bengal, which I procured for him as well as for many others—There are now very few Europeans in the Country, and those few are to set off in Four or Five Days, staying only to settle their private Affairs, for as the Nabob has once dismissed them his Service, they have no other Means of gaining a Subsistence. In regard to their passing up the Country, I have had some stopped, though it is difficult, as they disguise themselves in Musselman Habits, and travel in covered Hackeries, but the Men of Consequence by their Ability or Military Knowledge, have all gone towards Bengal.

" I hope the Circumstances above stated, and the Contents of my former Letters, will explain fully to the Honble. Board, the Situation of the Nabob's internal Government, on the Commencement of this Season.

" In regard to foreign Affairs, Nudjif Cawn has finally concluded the Peace with the Rajpoots who are put into Possession of Camao. It was agreed at first that he should keep Namool, but he afterwards gave it up, and has received Three Lacks of Rupees in ready Money, Jewels, and Shawls, and Eight Lacks are to be paid him in Eight equal monthly Gifts.—The Armies of both Parties have ceased Hostilities.

" Runjeet Sing succeeded to Nool Sing, who though only in fact the Guardian and Regent for the true Raja of the Jauts, Kehry Sing, yet being his Uncle he assumed an independent Authority. He died at a Time that the Affairs of the Jauts were in a most distracted State. Runjeet Sing was for some Time obeyed, but the Mother of Kehry Sing, wishing to get more Authority into her own Hands, attached Reim Daad Cawn to her Cause, and got him to introduce One thousand Rohillas into the Fort, in order to seize Runjeet Sing. They were repulsed with the Loss of Seven or Eight Men. Cownher Dawnfaa was the Person whom the Mother wanted to make Regent, and as his Party by the Assistance of the Rohillas was as strong as Runjeet Sing's, the latter apprehended the Consequences, and therefore entered into a Correspondence with Nudjif Cawn, and I should imagine that Dike will soon fall into his Hands, or else a Peace will be made upon very advantageous Terms to him. It is also probable the Rohillas will not hold out long, as the Son of their Chief is in Confinement with Runjeet Sing, who threatens to make his Life answer for any Attempts the Father may make contrary to his Views.

" There is now every Probability of Nudjif Cawn's being soon relieved from the present War, but I should imagine his Country is in too distracted a State, and his Treasury too low to admit of his undertaking new Enterprizes, otherways the Gossaynes have entertained a Correspondence with him, and he has expressed his Inclination to assist them; at all Events they ought not to have Time given them to strengthen their Confederacy, especially as the Marrattas have been invited to join in it. I do not hear of any certain Measures they have in Consequence adopted, and from all Appearances there is little Probability of their coming, before the Nabob (if he gets Money) will have the Opportunity as I hope to settle the Doab.

" At the same Time that Nudjif Cawn and the Nabob correspond in the most amicable Style, they still privately encourage the disaffected Persons in both Governments to take Refuge with them. Nudjif Cawn has applied to the Nabob for his Assistance, as he complains heavily that the Confusion created in his Country by the War, and the Drought will inevitably reduce him to great Distress, it not being possible for him to collect any considerable Revenues during the ensuing Season. Notwithstanding it is in every Respect the Interest of these Two Princes to be upon amicable Terms, they bear one another such an inveterate Enmity, that they will hardly ever be able to depend upon each other's Assurances; Ellige Cawn and Basheer Cawn foment the Divisions. The former has a considerable Property, the latter saved some Matter before his Flight. He has united in strict Alliance with Nudjif Cawn, at whose Instance he stopped at Agra, where he now is.

" The King remains in the same distressed State without Money or Resources; peplexed by the Intrigues of Abdul-Ahul Cawn, and perpetually insulted. Sabiter Cawn, who had entered into Abdul Ahul Cawn's Views, was obliged to leave Dehly to defend the small Extent of Country remaining in his Possession against the Sikes, who are now at Gossurra to the Number of Five thousand Horse. The main Body is retired. The King has, at Abdul Ahul Cawn's Instigation, written to Timur Shaw a very long Letter, inviting him to come to his Assistance, and proposing a double Marriage between their Children. By Intelligence only received this Day, it is said that a Part of Timur Shaw's Army has actually crossed the Attock. The Sikes and Nader Cawn,

(1898)

Cawn, a Prince who governs a Country laying between Lahore and Bissore, well defended by Hills, through which he must pass, will oppose him, so that I imagine before he enters Hindostan he must have many Difficulties to encounter: However, as to the Authenticity of this Intelligence, I must refer the Honble. Board to my future Address.

" Upon the Whole, Fortune seems singularly to have favoured the Nabob, for at the present Juncture a foreign Enemy might do him immense Mischief, and from probable Appearances there is none immediately able to hurt him.

" Fyzabad,
11th October 1775.

" I have the Honor, &c.
(Signed) " John Bristow,
Resident at the Court of the Nabob of Owde."

" To the Honble. Warren Hastings Esquire, Governor General, and the Members of the Supreme Council at Fort William.

" Honble. Sir and Sirs,

" Since my last of the 11th instant, I have received the Honble. Board's Letter of the 25th ultimo.

" I have already fully explained to the Honble. Board the Part I took in the Negotiation between the Nabob and the Begum. My Representations, since my Arrival this last Time, have proved to her Excellency that the Nabob's Situation was desperate, and she might have determined on what rash Resolutions she pleased in her own Mind. Still it was now a Question, Whether the Nabob should seize his Right, or suffer a Lack of Souls to perish; and the Sovereignty of these Soubahs, now in the Fourth Generation, to be transferred to another Family? I afterwards used many mild Arguments:—I also met Sellar Jung, Myrza Ally, and Murtehzei Cawn, and we consulted together, and after many Messages to the Begum, and many Alternatives proposed by both Parties, Thirty Lacks were consented to.—I am sure I could have obtained Fifty, the Sum I asked, if Murtehzei Cawn had not been impatient to return, and unguardedly mentioned that the Nabob would be satisfied with Thirty. When I pressed him to adhere to our First Request, he seemed to be apprehensive of the Begum's Temper hurrying her into some violent Act disgraceful to the Nabob's Government; and as the bare Probability of forcing her to Extremities was enough to deter me from asking ever so small a Sum, I at once gave up the Point.

" The Begum not only grants the Nabob this Sum, but gives up to him Twenty-six Lacks, for the Repayment of which she had Security in Land. In Lieu of this, she asked of the Nabob never to interfere with her again upon any Pretence whatsoever, and for her entire Satisfaction, she insisted on having the Company the Guarantees of a Treaty to be entered into betwixt her and the Nabob, and that I likewise should execute another directly with her on the Part of the Company; with which having complied, I have the Honour to enclose Copies of both Treaties. N^o 1 and 2.

" I now submit my Conduct in this Negotiation to the Consideration of the Honble. Board.—It is Necessity alone which has obliged me to act the Part I have done, for without the Company as Guarantees of the Treaty, the Begum would not have given a single Cowry. The Nabob wholly of himself, asked me to interfere contrary to my Inclination; and I therefore hope the Honble. Board will approve of my Conduct, especially as it was the only Means of realizing a considerable Sum at this Juncture. Half of the Money procured from the Begum is to be paid to the Company, which, with Five Lacks now receiving, making altogether Twenty Lacks, is a considerable Sum in the present State of the Nabob's Affairs.

" I have written Powers, and the Testimony of the Persons concerned in this Negotiation of my having had the Nabob's Sanction. However, I think it necessary to provide against any future Doubts, and shall therefore forward the Honble. Board a Treaty on the Part of the Nabob with the Company, acceding to the Terms with the Begum, which the Minister promised to get executed with all Expedition. The Begum having at first inserted the Word 'Heirs,' we had very near broke off the Negotiation; for I positively refused, and told her Excellency the Company were in Alliance with the Nabob Auffuf ul Dowla—alone, and during his Life knew of no Heirs or any other Sovereign in this Country.

" Fyzabad,
the 16th Oct' 1775.

" I have the Honour to be, &c.
(Signed) " John Bristow,
Resident at the Court of the Nabob of Owde." (a)
(Signed at the End of the Consultation)

" Warren Hastings,
J. Clavering,
Geo. Monson,
Rich. Barwell,
P. Francis."

(a) Vide Appendix, N^o CCCXV.

(1899)

from Book 78, already delivered in, the following Extract of a Consultation of the 18th of December 1775, beginning at Page 360 of the same Book.

" At a Council; Present,
The Honble. Warren Hastings, Governor General, President;
Lieutenant General John Clavering,
The Honble. George Monson,
Richard Barwell,
and
Philip Francis, } Esquires.
Fort William, the 18th December 1775.

Secret Dept.
Monday.

" Received the following Letter from Mr. Bristow.

" Honble. Sir and Sirs,

" I addressed the Honble. Board on the 28th instant, and have the Pleasure to enclose the following Accounts, viz.

" No. 1. Cash in the Hands of the Resident at the Court of the Nabob of Owde.

" No. 2. Account Current of the Nabob Auluf ul Dowlah with the Honble. Company.

" No. 3. Copy of Col. Gailliez's Account, dated 7th March 1775.

" In regard to the Balance of Cash, stated in No. 1, the commanding Officer of the Brigade has called on me for Two Lacks of Rupees, which I shall immediately supply, so that there will only remain in my Hands Rupees of various Currency, Seventy-two thousand four hundred and sixty-nine Six Annas (72,469 6). The Account of Receipts from the Nabob is left open for Adjustment, agreeable to the Commands of the Honble. Board. Such Sums as are advanced for the Use of the Brigade being disbursed in these Provinces, where the Batta must fluctuate according to the Part of the Country it is stationed at, I imagine no Standard can be positively fixed, and therefore would recommend it to the Honble. Board to have me to settle the Batta of these Sums agreeable to the Rate given out from Time to Time by the commanding Officer of the Brigade. The inclosed Receipt, No. 4, granted me by the Deputy Paymaster, Mr. Charles Pipon, will explain what Discount has been affixed on the Sums advanced to him. In that from Mr. Thomas Kirkman, No. 5, it is not determined, because there are some Species of Rupees paid him, regarding which the Brigade Orders have not yet been issued. I did recommend it to his Excellency to make his Payments wholly in Owde Sicca's, but he answered that it was impossible for him to procure them at all Times, though he would order as many as possible. No Balance can hereafter well accrue on the Subsidy Lands yielding a nett Revenue of Twenty Lacks, after deducting all Charges, being actually assigned, and the First Receipts are to be made over to me; Purwannahs are likewise issued for the Remainder, and when the Answers come from the Aumils, I will immediately forward the Honble. Board a complete Statement."

§ (" Respecting the Treaty with the Begum I have had many Letters from her, complaining of its not being abided by, and that the Nabob does her great Injustice in disputing her Right to Effects which she wants to deliver to him, but he asserts them to be his Property, as they were under the Charge of his Consular, and only deposited in One of the Buildings adjoining to the Begum's Palace. He says he acknowledges her Right to any Thing in Trust with her own Servants, but all other Effects belong to him. I have hitherto been unable to satisfy the Nabob or the Begum; but as the Treaty cannot be in Force without the Begum pays the stipulated Sum, I informed her of this Circumstance, and shall advise her in a Letter, I purpose writing her To-night, to complete her Engagements to the Nabob, all to the Value of the Effects in Dispute, the Right to which may be hereafter settled; and as they only amount to about Two Lacks and a Half of Rupees, it is not an Object to stop her fulfilling her Agreements in other Respects. I find it a difficult Point to please the Begum, for she has, through the Whole of this Negotiation, asserted that she placed entire Confidence in the English, by whom alone she was induced to promise the Thirty Lacks of Rupees, and now she thinks herself ill-treated in having the Identity of her Property disputed; she also complains heavily of the Troops left to guard the Town, putting Restrictions upon her Servants, and prohibiting them from the same Liberty as the other Inhabitants. I interceded with his Excellency to forbid any Violence from being used to her, or any of her Dependants, and he accordingly issued Orders to this Purport. In regard to the Dispute about the Effects, I must enquire more particularly, as his Excellency's Officers may be in the wrong; but I know also the Behaviour of the Begum's Eunuchs and Servants, whilst I was at Fylabad, that they were inclined to procrastinate the Payment upon any frivolous Pretence that occurred.")

§ (" On my taking Charge of my Office, I understood the Account of the old Balances was with Ellijee Cawn, and as he refused to come to the Nabob, I have been unable to settle it. Upon further Enquiry I find the Nabob's Moonsy has the Governor General's Letters to the late Vizier, which he forwarded by Mr. Middleton, as well as other Vouchers on this Subject, in his Possession. He has promised me to send for them from Lucknow, and when they arrive I shall be able to adjust the Account.

" I hope the Honble. Board will indulge me by reflecting on the Nabob's Situation ever since his Accession to the Musnud, and that it was hardly possible for him to pay the whole Sum due to the

(' #500)

the Company; there is now a great Prospect that his Government will be soon established on a firm Footing, and he in the Course of some Months able to satisfy all Demands."]

" Mindighaut,
30th Nov. 1775.

" I have the Honor to be, &c.

" John Bristow. (a)

(Signed at the End of the Consultation)

" Warren Hastings,
J. Clavering,
Geo. Monton,
Rich. Barwell."

Read, from Book 588, already delivered in, intituled, ' Country Correspondence received, for the Year 1776,' the following Letter from the Nabob Asoph ul Dowlah, beginning at Page 124 of the same Book.

" From the Nabob Asoph ul Dowlah."

Received 6th February 1776.

" As I make it a Rule to communicate to you every Transaction and Affair which happens to me, and place the utmost Confidence in your Friendship, I shall now mention a few Particulars to you. On the Decease of the late Nabob, I was left under a great Load of Debt, on Account of Arrears to the Troop, and Money due to the English Chiefs; and the Goods and Effects of the said Nabob, to a very great Amount, were in the Possession of my Mother, who refused to pay the least Attention to my Representations and Applications to her on this Head. At last, to prevent any further Constructions being put on my Conduct, I obliged Mr. John Bristow, very much against his Inclination, to be the Mediator of an Agreement. The Matter was accordingly settled at 30 Lacks of Rupees, and an Engagement concluded. Although my Mother was possessed of Goods and Effects to a very great Amount, of which I was well acquainted, yet I did not turn a Thought that Way, but entered into the aforesaid Engagement: Nevertheless, out of the 30 Lacks stipulated, 11 Lacks are yet due, exclusive of the above mentioned Effects. My Mother appropriated to her own use great Quantities of Furniture and Goods belonging to the Household, which were not in the Mahal. Mr. Bristow is well acquainted with this Circumstance. My Friend, the Engagement was also for a few Days only, which I told Mr. Bristow at the Time; but my Mother has even destroyed that, by not complying with the Terms of her Agreement. How then is this Treaty binding? Reflect, my Friend, on the immense Load of Expence I labour under, and the Smallness of my Income on one Side, pressed for the Arrears to the Forces on the other, for the Payment of Monies to the English Chiefs, to whom I am still indebted a very large Sum, which it is necessary to make good before all other Payments; and moreover, that by reason of a great Drought, my Revenues have this Year fallen very short. Reflect, I say, on these Circumstances, and how I am to make good all the Demands on me. Is it just, that the Goods and Effects left by my Father, which amounted to a very great Sum, should remain in the Possession of the Women, when I am the Heir to my Father's Wealth, and have taken on myself the Payment of the Debts he left behind? Surely this would be highly unjust. In short, I have not been wanting in any Respect, in Duty and Obedience to my Mother, and have settled on her Jagheers for her Support. I have even made greater Allowances for her Expences than she enjoyed during the Life-time of my late Father, and it has been my Endeavour to satisfy her in every Instance; but my Mother's Conduct towards me has been quite the contrary, which I have in the former Part of this Letter mentioned very fully. You will also have this confirmed in Mr. Bristow's Letters. I have written every Particular for your Information, being aware that false Representations may be made to you on this Subject. You must pay no Regard to such. Do you write, in express Terms, to my Mother, to make good the Money which she has engaged to pay to me, by which Means my Affairs will be re-established. If you write to her, she will be led to reflect on the Matter, and to pay the stipulated Sums."

(No Signature.)

Read, from Book 100, already delivered in, the following Extract of a Consultation of the 13th of May 1776, beginning at Page 564 of the same Book.

" Fort William, 13th May 1776.

Secret D. pt.
Monday.

" At a Council; Present,
The Honble. Warren Hastings, Governor General, President;
Lieutenant General John Clavering,
The Honble. George Monton,
Richard Barwell, } Esquires.
Philip Francis, }

" Received the following Letter from Mr. Bristow.

Mr. Bristow

" Honble. Sir and Sirs,
§ (" I had the Pleasure of addressing the Honble. Board on the 24th instant. The Nabob, in order
" to put a Stop to all further Disputes with the Begum, had transferred the Share of the Balance

" Camp near Etwa, 30th April 1775.

(a) Vide Appendix, N° CCCXVI.

" due to him to the Company. In consequence of which I did myself the Honour to write to her, and request the Payment of the Money. The Begum refuses to admit the whole of the Vizier's Demand, and I therefore, for the Information of the Honble. Board, inclose the Copies of my Letter and her Answer.

" As I suppose it will be impossible to settle the Account to the Begum's Satisfaction without attending to every minute Circumstance, I informed her, that I should not trouble her on the Subject any more by Letter, but send Mr. Chandler to examine into every Particular, soon after my Arrival at Lucknow, of which I hope the Honble. Board will approve."

§ [" Intelligence is this Day arrived, that Nudjiff Cawn stormed and took Dike on the 27th instant. Runjeet Sing escaped, but his Family have fallen into the Captor's Hands. Matters were understood to have been settled, for Runjeet Sing had the Day before the Storm agreed to pay Nudjiff Cawn Seven Lacks to raise the Siege, as many People died for Want of the Necessaries of Life. If I hear of any further material Circumstance, I shall be sure to inform the Honble. Board."]

" Camp near Etawa,
May 1st, 1776.

" I have the Honour to be, &c.

(Signed) " John Bristow,

Resident at the Court of the Vizier." (a)

Read, also, a further Extract from the same Consultation, beginning at Page 579 of the same Book.

" Resolved, that the following Reply be written to Mr. Bristow.

" To Mr. Bristow.

" Sir,

§ (" We have received your Letters of the 30th past and 1st instant.

" We conclude that you will be apprised of the Begum's ultimate Resolutions, with respect to the Payment of the Balance of her Account with the Vizier, before this Letter reaches you; and that you will either have recovered the Amount, or received her peremptory Refusal to pay it. We do not disapprove of your accepting of the Vizier's Transfer of that Debt to the Company. But as it is highly improper to make them the Instrument of affixing his Pretensions on any of his Subjects, not in open Rebellion against him, and more particularly in enforcing disputed Claims on his Mother, we direct that if she shall not have discharged the Assignment, or freely consented to pay it when you receive this Letter, you will immediately return it to the Vizier, and leave it to him to adjust the Account with the Begum, accepting at the same Time any Part that she may be willing to pay you on Account."

§ [" We approve very much the Advice which you gave to the English Officers after the Mutiny, respecting the Removal of the native Officers under them, as we are of Opinion that these last, being the only Sufferers by the new Establishment, will continue to foment, as it is evident they lately contrived the Seditions among the Sepoys, and that these Corps will never be reduced to a perfect State of good Order and Discipline, until the former native Officers, or at least the greatest Part of them, be dismissed. This Opinion we desire you will take Occasion to communicate to our Officers in such Manner that it may not be publickly known.

" We are inclined to think, that the Terms on which some of the principal Mutineers have been allowed to depart with their full Arrears of Pay, were too advantageous to them, and more likely to encourage others to behave in the same refractory Manner, than to produce the good Effect which you seem to expect from it. We rather think that in every similar Instance, the Ringleaders of the Sedition ought to be publickly punished with particular Severity; for this Reason we desire that you will advise the Nabob to cause every Officer or Sepoy against whom a Charge shall appear, either of Mutiny or any other gross Offence, to be brought to a publick and formal Trial before a Court Martial, and to abstain himself from every Kind of summary Punishment, but when reduced to it by the last Extremity.

" We have now in our Service many supernumerary native Officers at Patna, who have been long accustomed to the English Service and Discipline; as we think they may be of great Use in reforming the Nabob's Troops, and introducing Subordination among them, we are willing to spare them to fill up any Vacancies that may happen in his Battalions. Capt. Hardy has been ordered by the Commander in Chief to furnish you with a List of their Names, that you may apply to him for them, in case the Vizier should think proper to engage them.

" With respect to the Negotiation you have entered into on Behalf of the Vizier with the Marattas, we can give you no particular Instructions, as we are yet unacquainted with the Objects of Contention, and the Nature of the Transactions which have hitherto passed between them, but we advise on the Whole, to endeavour to accommodate Matters between them on the most secure and honourable Terms that you may be able to obtain for the Vizier, without engaging the Company in any Guaranty, or risking an Interruption of the Peace lately concluded at Poona."]

" Fort William,

13th May 1776.

" We are, &c.

(Signed at the End of the Consultation)

" Warren Hastings,
J. Clavering,
Rich. Barwell,
P. Francis." (b)

(a) Vide Appendix, N° CCCXVII.

(b) Vide Appendix, ibid.

(1902)

Read, from Book 38, already delivered in, the following Extract of a Consultation of the 22d July 1776, beginning at Page 231 of the same Book.

" Fort William, 22d July 1776.

Secret Dept.
Monday.

" At a Council; Present,
The Honble. Warren Hastings, Governor General, President;
Lieutenant General John Clavering,
Philip Francis Esquire.
Colonel Monson and Mr. Barwell indisposed.

" Read and approved the Proceedings of the 15th inst.

" Received the following Letter from Mr. Bristow.

Mr. Bristow. " To the Honble. Warren Hastings Esquire, Governor General, and the Members of the Supreme Council, Fort William.

" Honble. Sir and Sirs,

§ (" Agreeable to the Instructions of the Honble. Board I wrote to the Begum, endeavouring to persuade her to the Payment of the Balance still due to his Excellency the Vizier, conformable to Treaty. The Begum's Answer thereto being wrote in an evasive Style, I am preparing to proceed to Fyzabad to procure an Interview with her, when I shall use my utmost Endeavours to obtain her Consent to the immediate Payment of the Monies due; and to the settling finally the Value of the Goods which have been delivered to his Excellency, or he may have possessed himself of by reputable Amins appointed for that Purpose. As I can only use Persuatives with the Begum in this Matter, should I find these of no Effect, I shall, without protracting a useless Negotiation, agreeable to the Board's Instructions, decline any further Interference.") §

✍ [" I have long been using my Endeavours to persuade the Vizier to accommodate Matters finally with the Mahrattas. They have been in a State of Warfare with each other ever since the Season before Sujah Dowlah invaded the Rohilla Country. At that Period the late Vizier attacked and possessed himself of Etawa and the Dowaub. Last Year the Gossayne, on the Part of the Vizier, possessed himself of certain Districts on the other Side the Jumna as far as Ithansee: This Country, when I was at Etawa, the Vizier (then alarmed on all Sides) seemed willing to give up, and to confine his Territories to this Side of the Jumna; but the rainy Season and the Dispersion of Muhlboob's Troops having afforded a Truce to his Fears, his Ambition begins now to urge him to very different Views. His Excellency at present, far from being ready to give up his Acquisitions cross the River, talks of possessing himself of all the Country on that Side as far as the Buttawa Nuddee; nay, sometimes of extending his Conquests considerably further that Way. As these Views appear to me wild, and in the highest Degree incompatible with the real Interests of the Vizier, I have endeavoured to dissuade him from them, and shall continue so to do till I am favoured with the further Instructions of the Honble. Board on this Head. The Country the Gossayne possessed himself of, is rugged, difficult of Access, and ill supplied with Water. As the Vizier has now no Troops there he will have every Inch of Ground to dispute with the Mahrattas; and must, if successful, maintain such a large and expensive Force there, as will make his Acquisition of no real Value to, but on the contrary a heavy Load and Incumbrance on him: It will moreover be a Source of continual Contention with the Mahrattas, as nothing but an Inability to resist can ever induce them to give up that Country. The Jumna is a most natural and defensible Boundary to the Vizier's Territories; and I flatter myself, should it be finally settled as such, the Mahrattas would on that Condition consent to a Peace with the Vizier, without harbouring any Intentions of breaking it on the first favourable Opportunity, which I am persuaded would be the Case were it possible to prevail on them to give up at present any of the Districts cross the Jumna.

" Maharajah Periotum Pundit is now at this Court, having been sent by the Paithwa to negotiate a Peace with his Excellency. His Demands comprehend the Cession of the Dowaub to the Mahrattas: But it is so much the Custom in this Country, in all Negotiations, to make extravagant Demands, that they may recede with an Appearance of Unwillingness to the Point they will stop at, and secure thereby their not being obliged to retreat further, that I am persuaded this is only One of those Finesses, and that a Peace may soon be obtained on the Condition of the Vizier's giving up only his late Conquests on the other Side the Jumna.

" I have done myself the Honour to enclose to the Governor General, this Day, a Letter from the Paithwa, and another from Maharajah Periotum on the above Subject."] ✍

" Lucknow,
July 7, 1776.

6

" I am, &c.

(Signed)

" John Bristow,
Resident at the Vizier's Court."

Read,

(1903)

“ Resolved, that the following Reply be sent to Mr. Bristow.

“ To Mr. John Bristow, Resident at the Vizier's Court.

“ Sir,

“ We have received your Letter of the 7th instant.

“ You inform us that you are preparing to proceed to Fyzabad to procure an Interview with the Begum, to persuade her to the Payment of the Balance due to the Nabob. By going to Fyzabad to visit the Begum, you have exceeded our Intentions; however, as we suppose that Step is now taken, we can only express our Hopes that your Conference with her was conducted in Terms of Amity and Respect to her. If your Proposal to the Begum for liquidating her Accounts with the Nabob should not have succeeded, we direct you to desist from any further Application to her on that Account.”

To Mr. Bristow.

§ [“ We very much approve the Advice which you have given to the Nabob, respecting his Situation with the Marattas, and earnestly wish that you may be able to prevail on him to confine all his Views to the Territories which he possesses on the North-east Side of the Jumna, their natural Boundary: But we cannot speak more decisively on this Subject, not knowing the present State or Disposition of his conquered Countries which were on the South-west of that River. In a former Letter from you, dated in last April, you mention a Negotiation which was then on Foot, for giving these Possessions in Charge to the Rana of Goad, and on Terms which appeared to us both advantageous, and likely to free the Nabob entirely from the Hazard and Expence of maintaining them. This Mode of Disposal we should think the most eligible, if it could be accomplished; but at all Events we concur entirely with you in disapproving of every distant Military Undertaking to which the present State of the Vizier's Affairs is very ill suited, not only on this Account, but because we think them impolitic under any Circumstances, as the internal Regulation of the Nabob's present Dominions, comprehending altogether a compact and defensible State, is sufficient to engage his unremitted Attention, and ought ever to be the first and grand Object of his Care.]

“ Fort William,
the 22d July 1776.

“ We are, &c.

(Signed at the End of the Consultation)

“ Warren Hastings,
J. Clavering,
R. Barwell,
P. Francis.”

Read, also, from the same Book, the following Extract of a Consultation of the 12th of August 1776, beginning at Page 446 of the same.

“ Fort William, the 12th of August 1776.

“ At a Council; Present,
The Honble. Warren Hastings, Governor General, President;
Lieut. General John Clavering,
Richard Barwell, } Esquires.
Philip Francis, }
Colonel Monson indisposed.

Secret Dept.
Monday.

“ Read the following Letters from Mr. Bristow.

“ Honble. Sir and Sirs,

§ (“ In consequence of the Information I gave the Honble. Board, I attended his Excellency to this Place to obtain Payment of the Money due from the Begum, and a final Adjustment of her Accounts. The Vizier claimed Nine Lacks Sixty-three thousand nine hundred and sixty-six Rupees, but the Begum admitted only of Three Lacks, Sixty-six thousand six hundred and seventy-six Rupees, Seven Annas and Nine Pice, the Particulars of which are explained in the enclosed Account (N^o 1). Neither Party would at first relinquish their Claim, and I apprehended a Settlement would not have been effected; but his Excellency, after two or three Interviews with the Begum, shewed a great Inclination to come to an Adjustment upon almost any Terms, and I the Day before Yesterday attended him to her Palace, when he agreed to take the specifick Sum of Five Lacks. He set off immediately after for Lucknow, and left with me an Acquittance, of which the enclosed is a Copy (N^o 2). On the Vizier's Departure, the Begum objected to the Payment of the Whole in Money, and wanted me to accept Three Lacks in Goods, which I declined, and informed her, it was not perfectly agreeable to her to comply with the Vizier's Draft, I should not urge her to it contrary to her Inclinations. She

“ afterwards

(1904)

" afterwards gave up the Point of the Goods, upon Condition that she had Time granted her to provide the Money in.

" The Periods she fixed were as follows, (viz.)

" In Two Days	— — — — —	100,000
" In Twelve Days	— — — — —	100,000
" In Six Monthly Kifts at 50,000 Rupees per Kift	— — — — —	300,000

" Owd Sicca Rupees	— — — — —	500,000
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" I said I could not agree to these Terms without the Sanction of the Honble. Board, but offered to receive whatever Sums she would pay me until their Approbation should arrive. To afford the Honble. Board further Information on this Subject, I herewith do myself the Pleasure to enclose the Copy of the Begum's last Letter to me (N^o 3). Lieut. Grant will stay at this Place to receive the Two first Payments, altogether amounting to Two Lacks of Rupees.

" The Cloth was the only Article in the Account on which the Begum laid any great Strefs, but by her own Confession it was much Worm-eaten and damaged, so that by what I understood it could not be sold at a Fifth at what it was valued.

" The Begum in her Arguments principally urged the late Ministers having agreed to accept Eleven Lacks of the stipulated Sum in Goods; a Circumstance I well remember, though not mentioned in the Treaty, and under this Pretence she offered all the Cloths and Plunder taken in the Rohilla Campaign in Part Payment at a most exorbitant Rate."

§ [" I, for my Part, have been very cautious in saying any Thing to induce either the Vizier or Begum to adopt my Opinions in the Settlement that has taken Place, but to let them act entirely from themselves."]

" Fyz-abad,
17th July 1776.

" I have the Honour, &c.
(Signed) " John Bristow,
Resid. at the Vizier's Court." (a)

Read, also, a further Extract from the same Consultation, beginning at Page 460 of the same Book.

" Resolved, that the following Letter be written to Mr. Bristow.

" To Mr. John Bristow, Resident at the Vizier's Court.

" Sir,

" We have received the Letters you addressed to us on the 17th and 29th ultimo.

To Mr.
Bristow.

" We consent to your accepting the Offers which you acquaint us the Begum has made to you, for the Payment of the 5 Lacks of Rupees, assigned by the Nabob to the Company, but with this express Reservation, that the Company's Right to reclaim from the Nabob himself, the Amount of such Part as she may refuse to discharge shall not be impaired thereby, and we strictly caution you to avoid interfering or becoming a Party in any Differences which may arise between the Nabob and his Mother.

" Fort William,
12th August 1776.

" We are, &c.

(Signed at the End of the Consultation)

" Warren Hastings,
J. Clavering,
Rich^d Barwell,
P. Francis." (b)

Read, from Book 39, already delivered in, the following Extract of a Consultation of the 23d of September 1776, beginning at Page 33 of the same Book.

" Fort William, 23d September 1776.

Secret Dept.
Monday.

" At a Council; Present,
The Honble. Warren Hastings, Governor General, President;
Richard Barwell, } Esquires.
Philip Francis, }
General Clavering indisposed.

" Received the following Letter from Mr. Bristow.

" Honble. Sir and Sirs,

§ (" I addressed the Honble. Board on the 9th, 10th, and 11th instant, and am now to acknowledge their Letter of the 22d ult.

(a) Vide Appendix, N^o CCCXVIII.

(b) Vide Appendix, ibid.

(1905.)

“ In going to Fyzabad to procure an Interview with the Begum, I had no Intention to interfere between her and the Vizier. I only went to be present when any Settlement might take Place, without which the Begum never would have been satisfied, as she looked upon the Guarantee of the Company as her Security. My Rule of Conduct at Fyzabad not having exceeded this Line, and as the Five Lacks were on the Company's Account, I hope the Honble. Board will, for these Reasons, approve the Event of this Negotiation.”

“ The King has dismissed the Two Battalions which were formerly under the Command of Captain Brooke and Stuart, and given the Two Commandants recommendatory Letters to the Vizier to whom I introduced them.

“ They urged that General Barker promised that (should they behave well) they should be re-admitted into the Company's Service, whenever they chose to leave his Majesty's; and Colonel Goddard had already addressed the Honble. Board on this Subject; but as the Vizier desired, on my introducing them, that they might raise Two Battalions for him, he has written the Governor General for Permission to entertain them. I do not well see how his Excellency can raise any Battalions, as, I believe, he will find some Difficulty in paying the Army he has already on Foot.”]

“ Lucknow,
18th August 1776.

(Signed)

“ I have, &c. &c.
“ John Brindley,
Resident at the Vizier's Court. ”

(Signed at the End of the Consultation)

“ Warren Hastings,
J. Clavering,
Rich^d Barwell,
P. Francis.”

To shew the State of the Company's Affairs in the Year 1781, when Mr. Hastings proposed to go up the Country to Oude, and the Distress of the Company's Troops dependant upon the Nabob of Oude at that Period,

Read, from Book 35, already delivered in, the following Extract of a Consultation of the 2d of April 1781, beginning at Page 924 of the same Book.

“ Fort William, the 2d April 1781.

At a Council; Present,
The Honble Warren Hastings, Governor General, President;
Edward Wheler Esquire.

Secret Dept.
Monday.

Lieutenant General Sir Eyre Coote, K.B. Absent on Command at the Presidency of Fort St. George.

“ Agreed that the following Letter be written to Lieutenant General Sir Eyre Coote.

“ Sir,

“ We herewith send you a Copy of an Agreement which we have concluded this Day with the Nabob Walla Jau Bahauder, through the Channel of his Dewan Syed Affam Cawn, and Mr. Richard Joseph Sullivan, deputed to us by him for that Purpose.

“ The Advantages presented by this Engagement are so great and obvious, and at this Time especially so essentially and indispensably necessary, that we know not, nor can devise any Objection that can be made to it upon publick Grounds; nevertheless, we think it proper to recommend it, and in the most serious Manner, to the Support of your Influence and Authority, should any Occasion require it. To this Support it has a double Claim as One of the most important Acts of the Government of which you are a Member, and as a Measure which has for its single Object in its ultimate Effect the Promotion of your Operations for the Preservation of the Carnatic, and of the valuable Interests of the Nabob, and of the Company depending on it. The Revenues of these Provinces must fail by a continued Application of them to all the Emergencies of the other Presidencies and to remote Wars, and we already severely feel the Effects of the Drains which have been made from them. We do not mean to relax in our Supplies, for in Effect our whole Attention has been and is directed to the Carnatic. For this Object we have incurred a Debt at this Time exceeding a Crore of Rupees; we have withheld our Supplies for the Investment; we have transported Cargoes of Grain equal to the Tonnage of our Port; and though the Season in which Ships go from hence is almost expired, we shall avail ourselves of the first fair Season afterwards to continue the same Provision. We have exerted, we have strained every Nerve to assist that Presidency, but in future we must generally leave the Maintenance of the War in the Carnatic to its own Resources, which we are assured are fully equal to it, though we shall at the same Time readily * any answer any Bills which may be drawn on us agreeable to the Licence before given. • See in Orig.

“ We have acceded to several Propositions made to us by Raja Ram Pundit Naib of Cuttac, and acting on the Part of Raja Chinnagee Boosla, and he has engaged to furnish 2,000 Cavalry to join Colonel Pearse's Detachment, and to act under his Orders.

“ We

(1996)

" We regard this as the Preliminary of a closer Alliance with the Government of Berar, and as a public Declaration of that Government in our Favour, which we deem of itself a considerable Advantage.

" 2d April 1781.

" We have the Honour to be, &c. (a)

(Signed at the End of the Consultation)

" Edw. Wheeler."

Read, from Book 29, already delivered in, the following Extract of a Letter from the Governor General and Council at Fort William to the Court of Directors, dated the 8th April 1782.

" Honble. Sirs,

" Par. 23. When we gave you Reason to expect an Investment for the ensuing Year, exclusive of the large Balance of Goods remaining to be sent Home, we thought we should be able to spare a Sum to the Board of Trade for that Purpose; but the Exigencies of the Madras Presidency are now become so urgent and alarming, as you will see by an Extract of their last Letter, that all the Resources which we can possibly dispense with ourselves must be applied to their Support. We have therefore adopted a new Mode for keeping up the Investment by private Subscription, for 80 Lacks of Rupees; which will provide Cargoes for your Ships on the usual Terms of Privilege at the Risk of the Individuals, and is to be repaid to them according to the Produce of the Sales in England. A Copy of the Plan makes a N^o in one of our separate Dispatches over Land.

" 24. The following is a State of our Disbursements to the 1st ultimo, and Investment to the 1st May next.

" Supplied Madras in Money, Bills, and Grain since 1st August 1780	C. R'	1,07,43,756
D ^y Bombay since 1st May 1781	—	36,46,159
Investment realized this Year	—	1,47,67,300
Expected to 1st May	—	35,00,000
Dispatched Home this Season	—	46,38,900
Dutch Investment	—	17,50,000
Opium remitted to China	—	15,44,130
Certificates granted on D ^y	—	20,00,000
In the Treasury, Cash and Bills	—	34,06,790
Debts owing	—	1,99,34,626

" Estimated Resources of 1782-3.

Revenue of the Provinces	—	2,71,94,112
Benares	—	39,55,082
Customs	—	8,26,346
Salt	—	29,00,000
Opium	—	3,42,838
Bills and Certificates	—	18,47,630
Import Sales	—	12,97,617
Vizier's Debt, estimated	—	76,52,809
Army Subsidy	—	37,96,200
		4,90,62,634

" We cannot oppose an Estimate of our Disbursements, because we cannot be certain of the future State of the Wars in the Carnatic, &c. which will principally determine the Appropriation of our Means, as these must be applied in the greatest Degree to the greatest and most pressing Exigencies.

(Signed at the End of the Letter)

" Warren Hastings,
Edward Wheeler
John Macpherson."

(a) Vide Appendix, N^o CCCXIX.

Read,

(1907)

Read, also, from the same Book, the following Extract of a Letter from the Governor General and Council at Fort William, to the Court of Directors, dated the 27th of April 1781.

“ Honble. Sirs,

• “ Par. 34. Although we wish for Peace with the Mharatta State, we will not make Peace on Terms dishonourable to ourselves. We will not disgrace the English Name by submitting to Conditions which cannot be complied with without a Sacrifice both of the Honour and Interest of the Company; yet such are the Conditions prescribed in the Proposal to which we have alluded on Hyder’s Invasion of the Carnatic, and on the unfortunate Intelligence which we received of the Defeat of a Detachment of your Troops near Conjoeveram. You have been advised that such Terms were agreed to be proposed to the Mharatta State through the Mediation of the Raja of Berar, as appeared to us very reasonable, and such as might be honourably yielded to on both Sides. They were such therefore as we thought would not be refused by the Enemy, but the Event has been otherwise. Instead of finding them inclined to make Peace, the Distress which the Company’s Affairs have suffered in the Carnatic, and their Belief of our consequent Inability to support the War against them, has raised their Presumption, and induced them to insist on Terms for the Conclusion of it, which the worst State of your Affairs would not warrant us in yielding to. We are morally convinced that nothing but a vigorous and successful Prosecution of the War will prevail on them to make a Peace, or overcome their present Disinclination to it. Peace is our Object, and we are determined to pursue the only Means which appear to us likely to give it an honourable Effect, and we will readily accept it when we can.” (a)

(Signed at the End of the Letter)

“ Warren Hastings,
Edw. Wheeler.”

The Counsel for the Defendant stated, they would next read an Extract of a Letter from the Secret Committee of the East India Company to the Governments of Bengal, Fort St. George, and Bombay: That as the Whole of the Letter was for political Reasons improper to be made public, they proposed to give in an authentic Copy of the Extract they wished to read, and would deliver over the Original to the Managers for the Commons only, in order that they might also select such Part as they might think material to read, and give in an authentic Copy of the same to the Clerk.

The same was agreed to, and ordered accordingly.

Extract of a Letter from the Secret Committee of the East India Company to the Governments of Bengal, Fort St. George, and Bombay, dated the 31 May 1781, delivered in by the Counsel for the Defendant.

§ “ By the Trial Schooner we have received Packets from our Governor General and Council, and from the late Select Committee of Fort St. George, advising us of the Invasion of the Carnatic by Hyder Ally. The immediate Cause of the War, the unprepared State of the late Government of Fort St. George to resist or impel the Invader, the severe Loss sustained by the Defeat and Destruction of Colonel Baillie’s Detachment, the Retreat of the Army under General Munro, and the future Success of the Enemy, are Events which have occasioned universal Consternation and Astonishment.

• “ We exceedingly approve and applaud the ready Attention paid by our Governor General and Council to the Company’s Affairs on the Coast of Coromandel. The instant Relief afforded, and wise Measures adopted at that most alarming Crisis, do them much Honour. From their future Exertions, and the Co-operation of our other Settlements, we hope the Scene in the Carnatic will soon be reversed.

“ You will always remember that our first and grand Object is Peace with the Country Powers of India upon safe and honourable Terms: Our Governor General and Council must take the lead in all Negotiations, and direct or authorize the Plan of Operation for all our Settlements; and all their Instructions and Requisitions must be obeyed.

“ We rely upon your hearty Co-operation in giving Effect to every Measure adopted for restoring the public Tranquillity, and for re-establishing the Company’s Affairs on a solid Foundation, and shall write you more at large by the first Sea Conveyance.”

Further Extract of a Letter from the Secret Committee of the East India Company to the Governments of Bengal, Fort St. George, and Bombay, dated the 8th December 1781, delivered in by the Counsel for the Defendant.

• “ Advices from Bombay and Buffora give us Reason to hope that the wise and spirited Measures adopted by our Governor General and Council, and the speedy Succour sent, have produced

(a) Vide Appendix, N^o CCCXX.

(1908)

" the most favourable Effects on the Coast of Coromandel; which entitles them to our repeated and
" warmest Approbation. The Success of General Goddard against Basseen is also an Event which
" adds much to the Honour of that invaluable Officer, and of the Troops under his Command.
" We shall be exceedingly happy if the Result has been Peace with the Marattas.

" A safe and speedy Peace with all Indian Powers is our primary Object. This must never be
" forgotten; no Step must be taken but such as shall have a direct Tendency to accomplish this de-
" fireable Object.

" France continues vigorous Preparations for India. Be well on your Guard. The Welfare of
" your Country, and perhaps the Existence of the Company, depend upon your Vigilance, Ability,
" Activity, and Prudence.")

" Extracted from the original Draughts by
Sam. Johnson,
Clerk to the Secret Committee."

Further Extract of a Letter from the Secret Committee to the Governments in
India, dated the 31st May 1781, delivered in by the Managers for the Commons.

[" As we write in Cipher, we enter into no Detail by this Dispatch. We, however, inform you
that a parliamentary Enquiry into the Cause or Causes of the late Misfortunes on the Coast has taken
Place at the Requisition of Administration.]

" Extracted by
Sam. Johnson,
Clerk to the Secret Committee."

Then the House adjourned to the Chamber of Parliament.

Die Martis, 26° Februarij 1793.

THE Lords being in their Places, the House resumed, the usual Proclamations made, and the Defendant appearing at the Bar, the Lord Chancellor informed the Counsel for the Defendant that they might proceed in his Defence.

The Counsel for the Defendant informed the House, that they would now proceed to call Captain John Gordon.

Accordingly JOHN GORDON Esquire was called in, and being sworn, was examined as follows :

Q. (*by Counsel*) Whether you were not an Officer employed in the Vizier's Service in the Months of September, and October, 1781, in the Country of Oude?

A. I was.

Q. In what Rank in the Vizier's Service?

A. I was a Lieutenant.

Q. In whose Corps? A Lieutenant under whom?

A. Under Colonel Hannay.

Q. Do you remember receiving any particular Orders from Colonel Hannay about the 5th or 6th of September 1781?

A. I received Orders from Colonel Hannay to march to Ackberpore.

Q. What did you do in pursuance of those Orders?

A. I marched, and when I crossed the Gogra——

Q. On what Day was it?

A. The 5th and 6th of September we were employed in crossing the Gogra.

Q. What Force had you with you?

A. I had 400 Men; Four Companies of Sepoys, and about 80 Mogul Horse,—in all about 400 Men.

Q. Having crossed the Gogra, what further Steps did you take to obey the Orders of Colonel Hannay for joining him at Ackberpore?

A. I marched to Taundeh.

Q. Did you meet with any Obstruction in the Course of that March?

A. Very great;—I was attacked by a large Body of People during the Whole Route.

Q. At what Time did you arrive opposite Taundeh?

A. I think between the Hours of Twelve and One.

Q. Do you speak of the 7th of September?

A. Yes, the 7th of September.

Q. Did you, upon your Arrival there, take any Measures in order to procure the Conveyance of your Force over the Nulla—relate what passed at the Time you arrived at the Nulla?

A. When I arrived at Taundeh I desired the Bazar and Baggage to be sent over the Nulla; and I desired the Sepoys to stand to their Arms, as there were a great many of the Enemy that had been pursuing me still in Sight—the Sepoys were my Troops.—They came and told me that all the Boats were on the other Side of the River, and that Nobody was permitted to cross.

Q. Who told you so?

A. My People, to whom I had given Orders to march with the Bazar and Baggage, came and told me so.

Q. Is Taundeh, the Place at which you had then arrived, a Part of the Jaghire of either of the Begums?

A. Yes.

Q. Under

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Q. Under whose Charge was that Jaghire?

A. Under the Charge of Shumshire Cawn, the adopted Son of Bahar Ali Cawn, the chief Eunuch to the Bhow Begum.

Q. Did you make any Application to Shumshire Cawn?

A. I did: I ordered my Moonshy immediately to write a Letter to Shumshire Cawn, telling him that I was the Servant of the Vizier, and that I was marching by his Order to join him at Ackberpore; and that I was surprised at his stopping the Ghaut, and desired he would send Boats immediately for the Transport of my Detachment.

Q. Did you receive any Answer to this Application?

A. No.

Q. By whom was that Application made, and who carried the Letter from the Moonshy?

A. My Moonshy demanded a Boat, and Permission to send a Hircarrah with a Letter, which being refused, he gave the Letter to One of Shumshire Cawn's Servants, who had come over to my Side of the Nulla. And the Ruffeldar of Horfe, a Commandant of Horfe, afterwards told my Moonshy that Shumshire Cawn received the Letter when he was present.

Q. Was any Thing done after that Letter was received by Shumshire Cawn, in Consequence of this Application?

A. Yes—a large Body of Nudjeebs, and Three Guns were brought down to the opposite Side of the Nulla, and pointed at my Detachment.

Q. Do you mean they were stationed there, apparently with a Purpose of obstructing your Passage?

A. Undoubtedly: They were not there when I came.

Q. What was the Breadth of the Nulla—Could you see and hear what was said and done on the other Side of it?

A. The Breadth of the Nulla, I suppose, was about 100 Yards, a little more or less: I could hear and see very well what was done on the other Side.

Q. Did you see Shumshire Cawn on the other Side?

A. No, I did not; I did not then know the Person of Shumshire Cawn.

Q. Were any Efforts afterwards made on your Part to obtain a Passage for your Troops?

A. When I found that no Answer came from Shumshire Cawn, and that the Boat was refused, I desired my Moonshy to take an Elephant and swim over, and explain the Business to Shumshire Cawn. My Moonshy went upon the Elephant, but when he was going into the Nulla, the Nudjeebs pointed their Matchlocks at him, and said they would certainly fire if he persisted.

Q. You have stated that this Opposition was made to the Passage of your Moonshy,—Did any other Person at that Time, and in what Manner, pass over the River which he was prevented from passing?

A. The Commandant of Horfe passed, and very soon all the Horfe followed him.

Q. Your Commandant of Horfe?

A. My Commandant of Horfe.

Q. Did any of the Sepoys pass?

A. I was afterwards informed that some People came over from Shumshire Cawn, who told the Sepoys that Mr. Hastings was killed at Benares, and that they were determined to expel the English from the Country: These Emissaries told the Sepoys that their only Safety was in leaving me, and going over to Shumshire Cawn, where they would be protected.

Q. Did the Sepoys accordingly desert you, as you are understood to have said the Horfe had done before?

A. They did.

The last Question and Answer were read by the Clerk.

Q. Having stated the Horfe to have passed over, state whether the Horfe passed over in the Manner they did under your Orders, and in virtue of any Permission on the Part of Shumshire Cawn for the Passage of your Force, or whether, at the Time they did pass, they had deserted and abandoned you?

A. They had no Permission from me; they deserted.

Q. After the Desertion of your Troops, was any Boat then sent by Shumshire Cawn to bring you over?

A. There was a Boat sent towards the Evening about Sun-set, by Mr. Scott's Agent, who had a Factory on the opposite Side.

Q. This Boat you have stated was sent at Sun-ter, and by Mr. Scott's Gomastah, and not by Shumshire Cawn; were there Boats on the other Side of the River, which, during all that Time, could have been sent by Shumshire Cawn?

A. There were a great many Boats on the other Side of the River, belonging to Mr. Scott, whose Gomastah begged Permission of Shumshire Cawn to send them over, and which Shumshire Cawn refused, threatening him with the Plunder of the Factory, and Death.

Q. What Number of Men were at last left with you after the Desertion of your Horse and Foot, in the Manner which you have already described?

A. Not 20, I believe, including some of my own Servants.

Q. How many Hours was you waiting, from the Time of your Arrival till the Time when you was carried over the Nulla by Mr. Scott's Gomastah?

A. About Five Hours.

Q. It has been stated on the Part of the Begum by the Begum herself, that "upon Mr. Gordon's sending to the Phouzdar to supply him with a Boat, the Aumil replied that the Boats were all in the River, but that he would, according to Orders, assist him as soon as possible"—what Answer was given?

The Question was objected to.

Q. Did you ford the Nulla upon an Elephant?

A. No, I did not.

Q. Was you afterwards hospitably entertained and protected by the Phouzdar?

A. I was not.

Q. Was any Part of the Baggage belonging to you, and your Detachment, plundered by Shumshire Cawn and his People?

A. Great Part of the Baggage was plundered by the People who opposed my March; and some Parts by Shumshire Cawn and his People.

Q. After you had passed the Nulla, where did you reside till you afterwards went to Fyzabad?

A. In Mr. Scott's Factory.

Q. How many Days did you remain there before you was removed to Fyzabad?

A. I think Ten or Twelve Days.

Q. Did you immediately make known your Situation to Col. Hannay, who was then at Fyzabad?

A. I did immediately.

Q. Did you, during the Time you remained in Mr. Scott's Factory, remain in any Manner under the Protection of Shumshire Cawn?—Did you receive any Offices of Friendship or Assistance at his Hands?

A. No, I received none; on the contrary we expected to be attacked in the Factory, and Application was made by Mr. Scott's Gomastah to Shumshire Cawn for Assistance, which he refused.

Q. Did you take any Means for defending and protecting yourself in that Factory against the Violence with which you was threatened?

A. Mr. Scott's Gomastah hired all the People that he could get, in order to defend himself.

Q. Were there any Works there?—What Walls were there?

A. There was a Mud Wall.

Q. Did many of your Troops ever come back to you?

A. Some came back, but not many.

Q. From your Knowledge of the Country, and the Situation of Shumshire Cawn, in respect to the Begum, can you form a Judgment whether Shumshire Cawn, in giving you and your Detachment the Opposition you have stated, so acted in virtue of any Orders or Authority from the Begum?

A. I am convinced he must have acted from Orders of the Begum.

Q. State the Grounds which induced that Conviction upon your Mind?

A. Taundah was in the Begum's Jaghire, and Shumshire Cawn, as I mentioned before, being the adopted Son of Bahar Ali Cawn, I think it impossible he could have acted so without Orders.

Q. What Body of Force was there at that Time under the Command of Shumshire Cawn?

A. I really do not know.

Q. You have stated that you was removed to Fyzabad about the 19th or 20th of September?

A. Before the 20th.

Q. Do you know of any Reason which should have prevented your Removal at an earlier Time, if the Begum had been so inclined?

A. I know of none.

Q. Do you know of any considerable Change in the Situation of the British Affairs in that Part of India which took place between the 7th of September, when you arrived at Taundah, and the 19th or 20th of that Month, when in consequence of your Application to Col. Hannay, you was removed to Fyzabad?

A. There was a considerable Change during that Time.

Q. State in what Particulars?

A. Capt. Blair had defeated a large Body of Cheit Sing's Troops, and taken Four Guns.

Q. What other Circumstances in Favour of the British Arms had taken place?—Can you state by what Forces Mr. Hastings had been joined in the mean Time?

A. Major Crabb had arrived at Chunar with a large Detachment on the 10th; I think the Nabob came to Chunar from Lucknow on the 11th, and Major Roberts had arrived at Chunar on the 13th, and the Troops had likewise marched the Brigades from Cawnpore.

The Evidence was objected to.

Q. Did you, being in the Country at that Time, hear of Mr. Hastings having received the several Reinforcements you have mentioned?

A. I do not recollect any myself; but I heard from Colonel Hannay that Troops had marched from different Parts of the Army to the Assistance of Mr. Hastings.

The Evidence was objected to.

Q. (*from a Lord.*) Whether the Report of Mr. Hastings being cut off at Benares, was contradicted between the 7th and the 20th?

A. I have no Doubt it was.

Q. (*by Counsel.*) Whether during the Interval between the 7th and 20th of September you had Information from Rumour that such Bodies of Forces had marched to the Assistance of Mr. Hastings?

A. At Taundah I had very little Communication with any Person; my principal Source of Intelligence was from Colonel Hannay?

Q. What other Information had you derived from the general Report?

A. Latterly there were certain Reports of Assistance being sent to Mr. Hastings from all Quarters.

Q. What do you mean by latterly?

A. The Two or Three last Days that I was at Taundah.

Q. In what Time might Intelligence arrive from Chunar at Fyzabad?

A. In One or Two Days.

Q. Could the Begums have sent Assistance to you as well on the 8th of September, and at every other Period of Time between the 8th and the 20th, to the best of your Knowledge, as on the 20th, when she is supposed to have sent that Assistance?

A. I think she could.

Q. Did you, when you was afterwards at Fyzabad, see Shumshire Cawn?

A. No, I did not.

Q. Have you any Means of knowing that he was there at the Time you was there?

A. I was told that he was there.

Q. After staying some Time at Fyzabad, upon leaving the Begum, you sent some Letters of Acknowledgement to her; what Letters did you send, and what was the Occasion of sending them?

A. I sent Letters of Compliment to the Begum, thanking her for her Civilities.

Q. What was the Reason of it?

A. The commanding Officer of the Escort, who went with me to Fyzabad, when he took his Leave, desired to have a Letter to shew that he had conducted me safely; in Consequence of which, Letters of Compliment were written to the Begum, and to Bahar Ali Cawn, and Jewar Ali Cawn.

Q. What

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Q. What Directions did you give for writing the Letters?

A. It is Twelve Years since that happened: It is really impossible for me to say, whether I dictated the Letters verbatim; but the Letters being merely Matter of Compliment, I rather think I gave my Moonshy general Directions to write to them, to thank them for their Civilities.

Q. Have you seen the Letters contained in the printed Evidence before this House, and which are therein stated as the Letters sent by you to the Begum, and to Bahar and Jewar Ali Cawn?

A. I have.

Q. Have you any Observation to make upon those Letters, arising from any of the Facts stated in those Letters? Whether those Letters relate the Facts as they happened?—Do you, from any Circumstances, know whether those are genuine Copies?

A. I do not believe they are.

Q. State your Reasons for not believing them to be genuine or correct?

A. Because One of the Letters states, that I joined Colonel Hannay at Goonda; now it was not at Goonda I joined Colonel Hannay, but at Sacora.

Q. Was you ever with Colonel Hannay at Goonda, after you had been escorted to Fyzabad upon the Occasion already alluded to?

A. Never.

Q. You have stated, in Part, the Reason for writing the Letter, in Consequence of a Request made by the Officer who accompanied you, to carry back some Acknowledgment of his late Conduct?—Did you write those Letters under an Impression of having received Assistance from the Begum, which merited such Acknowledgment, or for any other Purpose, and what Reason?

No Answer.

Q. Did you write them from a Sense of Gratitude, or from a temporizing Purpose?

A. I certainly did not write them from a Sense of Gratitude; I considered the Letters merely as Matter of Compliment.

Q. Being in the Country of Oude during the Period when the Troubles took Place, whether you had then any Reason to believe, or have now any Reason to believe, that the Begums were not indisposed to us, and did not act hostilely to the British Interest at that Period?

A. I believe they did: I have no Doubt of it.

The Managers for the Commons objected to the Question.

Q. Do you believe the Begums acted hostilely to the English?

A. I have no Doubt they did.

Q. Did a general Report to that Effect prevail in the Country?

A. It did.

Q. Whether you then believed, and still believe, the Truth of that Report?

A. I believed it then; and have never had any Reason to doubt it since.

Cross-examined.

Q. What was the exact Date at which you arrived at the Nulla?

A. On the 7th of September.

Q. What Force appeared to you to oppose your passing the Nulla?

A. I cannot exactly tell the Number.

Q. Was it a considerable Force, or a small one?

A. It was a considerable Force.

Q. What Boats did you see upon the River?

A. A great many large Boats.

Q. Did the Boats belong to Mr. Scott?

A. Most of the Boats, I believe, did belong to Mr. Scott.

Q. Do you know that Mr. Scott was prevented from sending over those Boats, by Force?

A. Mr. Scott was not present, not at Taundah, at that Time.

Q. Where was Mr. Scott at that Time?

A. I really do not know.

Q. When did Mr. Scott arrive at Taundah?

A. I really do not know.

Q. Did

Q. Did he arrive that Day ?

A. No.

Q. Who sent over the Boat to you ?

A. Mr. Scott's Gomastah.

Q. Who was Mr. Scott's Gomastah ?

A. His Agent at the Factory.

Q. What was his Name ?

A. I don't know.

Q. How do you know he sent over the Boat ?

A. He told me so.

Q. Did Shumshire Cawn do any Thing to prevent the sending over that Boat ?

A. I have already stated, I believe, that Shumshire Cawn threatened him with the Plunder of his Factory and his Life ;—that he should be put to Death if he sent the Boats.

Q. Did that Threat hinder him sending the Boat ?

A. It certainly did not ; the Boat came several Hours afterwards,—One Boat.

Q. Did it hinder Mr. Scott's Gomastah from sending over the Boat ?

A. It certainly did not ; but the Boat came several Hours afterwards.

The last Question and Answer were read by the Clerk.

Q. The Question relates to the Time when the Boat arrived in which you crossed, or say you crossed, the Nulla :—The Question applies to that ?

A. When the Boat came, he certainly did not hinder it.

Q. Did he make any Threat to prevent the sending off the Boat at that Time ?

A. At what Time ?

Q. At the Time that you passed in the Boat.

A. I do not know that he did.

Q. Was Shumshire Cawn at Taundah when you arrived there after your crossing the Nulla ?

A. He was.

Q. When did you see him ?

A. He waited on me several Days after my Arrival.

Q. Did you see him on the Day of your Arrival ?

A. I did not.

Q. How many Days after was it before you saw Shumshire Cawn ?

A. Several Days ; I cannot tell how many.

Q. Are you sure you saw him at all ?

A. Perfectly sure.

Q. But not sure of the Time ?

A. But not sure of the Time.

Q. Are you sure that Mr. Scott's Gomastah did not receive an actual Permission from Shumshire Cawn to send that Boat ?

A. I do not understand the Question.

The last Question was Twice read by the Clerk.

A. I do not know.

Q. Have you never sworn that he did ?

A. I do not know that I have.

Then a Book was shewn the Witnesses, and the last Two Questions and Answers were again read by the Clerk.

Q. Do you know what became of that strong Force, which you state to have been opposed to you when you attempted to cross the Nulla with your Forces, after you had arrived at Taundah with a very few of them ?

A. It is impossible for me to say.

Q. Have you Reason to think they ran away from you when you arrived with so weak a Force, and that they stood with their Cannon pointed when you was in full Strength ?

The Question was read by the Clerk.

A. I have no Reason to think that they ran away ; they dispersed perhaps ; but I do not know what became of them.

Q. Did

Q. Did they give you any Molestation?

A. They did not.

Q. Have you Reason to believe that was a Force stationed there by Shumshire Cawa for the Purpose of destroying you?

A. I cannot tell for what Purpose they were employed, further than I saw.

Q. Answer the Question directly?

• The Question was read by the Clerk.

A. I can only answer, I cannot tell what the Purpose was, further than I saw.

Q. Do you mean that Force was some Way or other dispersed when you arrived at Taundah?

A. When I crossed over, all the People were not there, they were probably dispersed, and might have gone into the Town; I don't know what became of them.

Q. The Fact then is, Mr. Scott's Gomastah was not murdered, nor his Factory plundered, during the Time that you remained there?

A. The Gomastah was not murdered, nor the Factory plundered, during the Time that I remained there.

Q. By whom did you expect that the Factory should be attacked in the Manner you mentioned?

A. By the People who had attacked me upon the March.

Q. On which Side of the Nulla was you attacked on your March?

A. On the other Side of the Nulla, opposite Taundah.

Q. Then it was there, and not at Taundah, that Mr. Scott's Factory was threatened?

A. I have not said that Mr. Scott's Factory was threatened upon a different Side of the Nulla from what it was on.

Q. On what Side of the Nulla were those Persons who threatened to destroy Mr. Scott's Factory?

A. On the Side that the Factory was.

Then the last Four Questions and Answers were read over by the Clerk.

Q. Whether or no you saw any Force attempting to attack Mr. Scott's Factory while you remained in it?

A. I saw considerable Bodies of People, which I believed intended to attack the Factory; at least I was told so.

Q. By whom was you told so?

A. By Mr. Scott's Gomastah, and the People about me.

Q. As a Military Man, when you thought you should be attacked, did you not look out to know who it was that was attempting to attack the House in which you had taken Refuge, or whether any body at all was preparing to attack it?

A. I have already said, that large Bodies of People were in Sight, and that they intended to attack the Factory.

Q. Did you see them?

A. I did.

Q. Did you see the Persons coming to attack the Factory?

A. I have not said I saw them coming to attack the Factory, but I saw the People, and I was told they intended to attack the Factory.

Q. Were they an armed Force?

• A. They were.

Q. Were they Nudjeebs?

A. I do not know whether they were Nudjeebs.

Q. How came you to know that those were Nudjeebs that were drawn up on the other Side of the River, and not know whether they were Nudjeebs who intended to attack the Factory?

A. Nudjeeb is a Name I believe commonly applied to Troops who are stationed for the Collection of the Revenues.

Q. Are you sure of that?

A. I believe they are frequently called so.

Q. Do you not know that the Troops stationed for the Collection of the Revenue are commonly called Sebundee and not Nudjeebs?

A. They are frequently called by both Names.

Q. Then do you know which of those they were, or whether they were any, or either of them?

A. I do not know what the Distinction intended is.

Q. What Description of Troops were those who attacked the Factory? Do you know what Sort of armed Force they were at all of any Description?

A. They were Irregulars, armed and clothed in the Country Manner.

Q. Did they actually attack you?

A. They did not—not after I was at Taundah.

Q. Do you think that if Shumshire Cawn had had a Mind to attack you at Taundah during your long Residence there, it would not have been in his Power to do so?

A. Undoubtedly it would have been in his Power to attack me, if he chose it.

Q. Whether you was attacked by any Persons, and whom, on your March to the Nulla, and on which Side of it does Taundah stand.

A. I was attacked by a great Body of People.

Q. Was that in the Begum's Jaghire, or not, recollect?

A. That, I believe, was not in the Begum's Jaghire.

Q. Then the Persons who attacked you were on the Nabob of Oude's Dominions?

A. The whole Country is in the Dominions of the Nabob.

Q. But in the Jaghire? Was it in any Part that was under the immediate Jurisdiction of the Begum?

A. It was not; I mean the Attack on the March.

The Question and Answer were read over by the Clerk.

Q. When and where was you attacked after that you had entered into the Begum's Territories?

A. I was not attacked after I entered into the Begum's Territories.

Q. Do you presume, that the Persons who attacked you in the Nabob's own proper Dominions, had not the Nabob's Orders for it?

A. I do not believe they had.

Q. Why?

A. I cannot conceive the Nabob would be hostile to us.

Q. Why did you imagine that the Nabob, in whose immediate Jurisdiction you was attacked, was not hostile to you, and that the Begums, in whose Dominions you was not attacked, were hostile to you?

A. I never thought the Nabob hostile to us.

Q. Answer the Question.

The last Question was read by the Clerk.

A. I had no Reason to think the Nabob was hostile, and from the Behaviour of the Begum's Aumil at Taundah, I was convinced she was hostile to us.

Q. Why, in the Two Statements you have made of this Affair, do you imagine the One hostile, and the other not?

A. That is my Judgment.

Q. Whether, or no, you know whether the Nabob's Aumils did not as much cause the actual Attack upon you, as Shumshire Cawn did your Delay at the Nulla?

A. I do not know who caused the actual Attack.

Q. Why do you conclude that the Begum's Aumils acted under Orders from their Mistress to distress you, when you charge them with nothing but Delay, and do not suppose the Nabob's Aumils acted to distress you, when you was actually attacked?

The Question was objected to.

Q. What Reason had you to think that Shumshire Cawn, whom you do not know to have given any Orders to obstruct your Passage, acted by the Begum's Directions to distress you by Delay, when you do not conceive that the Nabob's Aumils acted by his Order?

The Question objected to.

Q. Do

Q. Do you know that the Attack was not directed by the Nabob's Aumils, as much as your supposed Delay was directed by the Aumil on the other Side?

A. I do not know the Attack was directed by the Aumils.

Q. Do you know the Delay was directed by Shumshire Cawn?

A. I wrote a Letter, to which I received no Answer.

Q. (by a Lord) Whether it was possible for the Influence of the Begums to extend beyond their own Jaghires?

A. Very possible.

The last Question and Answer were read by the Clerk.

Q. (by the Managers) Whether, or no, the Nabob's Influence does not extend into the Places immediately under his Jurisdiction?

A. I should suppose it does.

Q. Whether his Influence may not extend into the Places within the Begum's Jurisdiction, which are within his Sovereign Dominions?

A. No doubt it may.

Q. Whether you charged Shumshire Cawn, during the long Time you staid at Taundah, with this Act of Hostility to you?

A. I did not.

Q. Whether you asked him how you came not to receive an Answer to your Letter?

A. I did not.

Q. When did you leave Taundah as nearly as you can recollect?

A. I cannot positively say; I believe between the 17th and the 20th.

Q. But cannot you exactly fix the Date?

A. I cannot.

Q. How far is it from Taundah to Fyzabad?

A. About Thirty-six Miles.

Q. How long was you on your March from Taundah to Fyzabad?

A. One Day.

Q. Did your March lie through the Begum's Jaghire?

A. It did partly.

Q. Under whose Escort did you march from Taundah to Fyzabad?

A. Under the Escort of a Party sent by the Begums.

Q. Upon whose Requisition was that Party sent?

A. Upon Col. Hannay's.

Q. Did Shumshire Cawn endeavour to oppose your Progress to Fyzabad?

A. Certainly not.

Q. Was you attacked on the Road?

A. No.

Q. Was you attacked, or did you suffer any Molestation at Fyzabad?

A. I was not.

Q. How long did you remain at Fyzabad?

A. About a Month.

Q. When you left Fyzabad, where did you go?

A. To Goonda, and from thence to Sacrora.

Q. How far is Goonda from Sacrora?

A. I think about 16 or 18 Miles.

Q. How far is Sacrora itself from Fyzabad?

A. I think from about 36 to 40 Miles.

Q. Whether you saw Col. Hannay at Fyzabad?

A. No, I did not.

Q. Did you see him before your Arrival at Sacrora?

A. I did not.

Q. From whom did you receive the Account of all the Proceedings in the War with Cheit Sing that you have now stated?

A. I corresponded with Col. Hannay.

Q. By

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Q. By Letters?

A. By Letters received at Taundah and Fyzabad.

Q. By what Hand did he send those Letters, and carry on this Correspondence?

A. Some of the Letters, I believe, were sent by the Eunuch.

Q. Whose Eunuch?

A. The Begum's Eunuch, and some of them by private Messengers.

Q. When did that Correspondence begin?

A. I always corresponded with Col. Hannay; he was my Commanding Officer.

Q. Quite from your Arrival at Taundah?

A. Yes.

Q. Who was the Person that carried the first Letter?

A. I really do not recollect.

Q. Are you sure it was not a Person in Trust under the Eunuch?

A. I have already said, I do not recollect.

Q. Are you sure it was not?

A. I have already said, I cannot recollect.

Q. Whether your Letter to the Eunuchs is a mere Matter of Civility, or whether it does not contain some alleged Services on their Part?

A. The Eunuchs pretended to be friendly, and the Letter was sent as a mere Matter of Civility.

Q. Who escorted you to Goonda?

A. A Party of the Begum's Horse.

Q. Did you not acknowledge their Kindness in sending a Person of the Name of Meer Mirze Ali with a Force, for the Purpose of conducting you, and all your Baggage, to Fyzabad?

A. I have no Copies of the Letter I wrote at that Time.

Q. Do you think Col. Hannay wrote any such Letter?

A. Very likely he did.

Q. Whether you complained, while you was at Fyzabad, or after you arrived at Goonda, of any Misbehaviour of Shumshire Cawn, or the Two Eunuchs, to either of the Begums?

A. I did not complain to the Begums.

Q. Whether you ever made any Complaint which might arrive to the Ears of Shumshire Cawn of what you had suffered by him?

A. I complained to Col. Hannay, my Commanding Officer.

Q. Did Col. Hannay complain to Shumshire Cawn, so as to call upon him to answer and defend himself against the Charges you made against him?

A. I do not believe Col. Hannay ever complained to Shumshire Cawn.

Q. Did you ever complain of Shumshire Cawn's Conduct to his adopted Father, Bahar Ali Cawn?

A. I never did.

Q. Did you to the Begum?

A. I never did.

Q. When and where was it that you first made your Complaint?

A. In my Letter to Col. Hannay from Taundah.

Q. Of what Date?

A. Of the 7th or 8th of September.

Q. Where is that Letter?

The Counsel for the Defendant stated that the Letter in Question was in the printed Evidence.

Q. Have you any Copy of that Letter?

A. I dare say I have.

Q. What is the Date?

A. I said the 7th or 8th of September.

Q. Can you give a Reason why, when you complained on the 7th or 8th of September to Col. Hannay, neither you nor Col. Hannay informed Shumshire Cawn, or any of his Patrons and Protectors, of the Charges that were made against him and them?

The Question was read over by the Clerk.

A. I do not understand what is meant by Patrons and Protectors.

Q Bahar

(1919 .)

Q. Bahar Ali Cawn and the Bhow Begum his Mistress?

A. I did not complain, because I did not expect any Redress from that Quarter.

Q. How comes it that instead of making Complaints you acknowledged Kindness and Protection?

A. I have already stated that the Letters were meant merely as Matter of Compliment and Thanks for the Escort.

Q. How came you to compliment instead of complaining?

A. Because they pretended Friendship.

Q. To whom did you apply for Redress and Satisfaction for the Injuries you pretended to have suffered?

A. To Col. Hannay first, and afterwards to Mr. Hastings.

Q. What Enquiry was made concerning the Truth of these Allegations?

A. That is a very general Question.

Q. The Question is persevered in?

A. I really cannot tell how to answer.

The following Question was read by the Clerk.

Q. What Enquiry was made concerning the Truth of these Allegations?

A. It is so general a Question I cannot answer it.

Q. Do you know whether any and what Enquiry was made?

A. Relative to what?

Q. Relative to any Injury and Plunder you are supposed to have received from Shumshire Cawn, or any People under his Orders?

A. I was not present when the Enquiry was made afterwards.

Q. Whether you was called upon for any Proof whatsoever of your Allegations?

A. Several People who were present made Affidavits that such and such Things had happened.

Q. Who were the Persons?

A. One was my Moonshy.

Q. What was his Name?

A. Merun; and some Officers.

Q. What were their Names?

A. I do not recollect.

Q. Whether a Person of the Name of Doond Sing was not One of them?

A. Yes, I believe he was.

Q. Who was Doond Sing?

A. I think he was a Subadar, and under my Command.

Q. And Meer Ahmud Alla?

A. He was a Subadar under my Command.

Q. Was you present when they were examined—the Subadars?

A. I do not believe I was present when they were examined.

Q. Was any Body on the Part of Sumshire Cawn present?

A. I do not believe there was.

Q. Any One on the Part of Bahar Ali Cawn?

A. Not that I know of.

Q. Any on the Part of the Begums?

A. Not that I know of.

Q. Do you know, of your own Knowledge, that such Affidavits were taken at all?

A. I know I took One.

Q. Do you mean took One, or made One?

A. I made One.

Q. You was not present when the others were sworn?

A. I am not certain; I think not.

Q. Before whom were those Affidavits taken?

A. Before Sir Elijah Impey.

(1920)

Q. Did you ever get any Satisfaction for your Loss, real or pretended ?

A. I did.

Q. From whom ?

A. From the Nabob, through the Resident.

Q. From what Fund did that arise ?

A. I cannot say.

Q. Then you are not sure that the Nabob was not obliged to pay for the pretended Offence of this Shumshire Cawn ?

The Question was read by the Clerk.

The Witness said,

A. I do not understand it.

Then the following Questions and Answers were read by the Clerk :

‘ Q. Did you get any Satisfaction for your Loss, real or pretended ?

‘ A. I did

‘ Q. From whom ?

‘ A. From the Nabob, through the Resident.

Then the following Question was put to the Witness :

Q. From whom ?

A. From the Resident who was residing at the Nabob's Court ; that was my Reason for saying from the Nabob.—I said from the Nabob because Mr. Middleton was Resident at the Nabob's Court.

Q. Have you Reason to believe that Mr. Middleton had delivered to him the Letters written by Colonel Hannay and you to the Begums and their Two Eunuchs ?

The Question was read by the Clerk.

A. I do not understand the Question.

Q. You have said there were Letters written to the Begums by you and Colonel Hannay ; whether you have Reason to think they were ever delivered into the Hands of Mr. Middleton on the Part of the Begum ?

A. I have heard, since I came to this Country, that they were.

Q. Did you ever hear it before, in India, that Mr. Middleton had actually received those Letters ?

A. It is very difficult for me to swear positively ; but I do not recollect that I did.

Q. Whether you know, or have Reason to believe, those Letters were ever produced by Mr. Middleton at the Enquiry concerning the Damage done by Shumshire Cawn ?

A. I do not.

Q. Do you know, or have Reason to believe, that the Affidavit made by you was presented to the Begums, or any Copy ?

A. I do not know.

Q. Whether, and how, you know what Account of the Transaction at Taundah was given to the Begum by Shumshire Cawn ?

A. I do not know.

Q. How could the Begum know that you did not swim over the Nulla upon an Elephant ?

A. I do not know.

Q. Where did the Officer of the Escort from Fyzabad leave you ?

A. At Goonda.

Q. When you arrived at Goonda, will you swear there were none of the Rear Guard of Colonel Hannay's Force there, when he was himself only 18 Miles advanced ?

A. Major Nailor's Regiment was at Goonda ; I do not believe that any Part of Colonel Hannay's was there.

The Managers for the Commons stated, That they had done with the Witness for the present, and desired he might be again called the next Day of the Trial.

The

The Counsel for the Defendant objected, that the Managers were bound to conclude their Cross Examination of the Witness before he was dismissed.

The Managers for the Commons insisted that they had a Right to stop their Examination here, and to call the Witness again for the Purpose of Cross-examining him fully whenever they pleased.

The Managers for the Commons were directed to proceed in their Cross Examination of the Witness.

Q. Whether there were not great Insurrections in the Country in which Colonel Hannay commanded and managed the Revenue?

A. The Country was in a very unsettled State; there were frequent Insurrections.

Q. By whom were they headed?

A. By the Zemindars of the Country.

Q. To whom were those Zemindars immediately and directly subject?

A. I do not know from Colonel Hannay's having the Command, that they could be said to be directly subject to him; they were in the Nabob's Dominions.

Q. Did those Zemindars express any Matter of Grievance as a Cause of Insurrection against Colonel Hannay, or you, or other British Officers?

A. The Zemindars of that Part of the Country which I have mentioned to be in a very unsettled State, had long opposed every Force that was sent to collect the Revenue.

Q. When were those Insurrections—before the Time of Colonel Hannay?

A. Before the Time of Colonel Hannay's coming, and while he was there.

Q. Were those Insurrections before the Business of Cheit Sing?

A. There were Insurrections before the Business of Cheit Sing.

Q. Whether some of the Chiefs of the Insurrection did not shew real or pretended Authorities under the Nabob's Seal, for the Steps they had taken?

A. I do not know.

Q. Did you ever hear such a Report?

A. I really cannot charge my Memory with it.

Q. Did you ever converse with Colonel Hannay upon that Subject?

A. It is impossible for me to charge my Memory with that at this Distance of Time.

Q. Was you at Lucknow when Colonel Hannay made his Affidavit upon that Subject, before Sir Elijah Impey?

A. I was.

Q. Did Mr. Middleton, or any other Person, inform you, that he had received a Letter from the Begums, charging Colonel Hannay, and yourself, with having robbed the whole Country?

A. I do not think he did.

Q. Did you not hear that you was so charged?

A. I do not think I did in India.

Q. Did you ever converse with Mr. Middleton at all?

A. Yes, I did.

Q. Did you converse with Mr. Middleton upon the Business of your Conduct in those Countries?

A. No Doubt I did.

Q. You are sure Mr. Middleton mentioned nothing to you upon this Subject?

A. I cannot be sure what passed in Conversation with Mr. Middleton at this Distance of Time.

Q. Do you not know that Colonel Hannay was removed upon the Complaint of the Nabob, of his Misbehaviour?

A. I do not know what was the Cause of Colonel Hannay's Removal.

Q. Did you not hear that he was removed, upon some Complaint of the Nabob?

A. I have heard a great deal of Conversation.

Question objected to.

Q. Did you not hear from general Rumour that Colonel Hannay was removed from the Nabob's Service, upon a Complaint from the Nabob?

The Question was objected to.

Q Do

(1922)

Q. Do you not know, as well as you know any Thing that you have not yourself seen, that Colonel Hannay was removed?

A. I know he was removed.

Q. Then was he not re-appointed after that Removal?

A. He was.

Q. Do you not know, that, in Fact, there were grievous Complaints against Colonel Hannay after that Second Appointment?

A. I believe there were Complaints.

Q. By whose Recommendation was Colonel Hannay named a Second Time to the Nabob?

A. I have understood, by Sir Eyre Coote.

Q. (by a J. prd). You said you had sent Letters to the Begum, thanking her for her Civility; to which, the Elder or Younger?

A. The Younger.

Q. Was Mr. Scott's Factory in the Jurisdiction of the elder or younger Begum?

A. I really cannot tell, but I believe the Younger.

Q. Do you recollect the Time when that Letter was written to the Begum?

A. I really do not exactly recollect.

Q. You said you did not know whether Mr. Scott's Gomastah did, or did not, receive an actual Permission from Shumshir Cawn to send the Boat over the River; then being asked whether you never swore he did, you said you did not recollect; do you now recollect whether you ever did so swear?

The Witness looking at the printed Evidence, said,

A. I see it is here stated.

Q. Where stated?

A. It is here stated—"It was almost Evening when Mr. Scott's Gomastah, with great Difficulty, at last obtained Permission to send One Boat." (a) Whether he was permitted or not, he sent a Boat undoubtedly; but whether he had Permission or not, I do not know.

Q. Then do you now recollect what the Fact was, whether Mr. Scott's Gomastah did or did not receive that Permission?

A. He had his Consent undoubtedly to send a Boat; he could not have done it without his Consent.

The Witness was directed to withdraw.

The Counsel for the Defendant desired Capt. Williams might be called.

Capt. DAVID WILLIAMS was accordingly called in; and, being sworn, was examined as follows:

Q. How long was you in the Company's Service in India?

A. I went out first to India either in December 1768, or in January 1769.

Q. How long did you stay there?

A. I returned to England in June 1785.

Q. Did you command a Detachment of Sepoys in the Nabob's Service during the Period of Cheit Sing's Rebellion?

A. I did.

Q. Where were they stationed?

A. My Station was at Gungoor, in the District of Goruckpore.

Q. Where was you when you first heard of Cheit Sing's Rebellion, the Insurrection at Benares?

A. I heard for a Certainty of it at Lucknow.

Q. What Time was that?

A. It must have been between the 21st and 28th of August 1781.

Q. Had you before that Time passed through Fyzabad, a short Time before?

A. I had passed through Fyzabad nearly, as far as I can recollect, about the 20th of August.

(a) Vide supra, Page 264.

(1923)

Q. Did any Circumstance happen to you on Your Journey to Fyzabad through the Country at that Time?

A. At Amora Major Mac Donald told me of his having had Intelligence that some unfortunate Circumstances had happened at Benares to Mr. Hastings, but the Particulars he was not then acquainted with.

Q. Was that before you reached Fyzabad?

A. It was.

Q. How far is Amora from Fyzabad?

A. I cannot positively say; about 14 Miles.

Q. What happened after you received that Intelligence at Amora?

A. I proceeded from Amora to Fyzabad; when I arrived at Fyzabad, I found that the Bearers which Major MacDonald had laid for me, were taken away from the Chokah; they could not be found.

Q. They were for the Purpose of your prosecuting your Journey to Fyzabad?

A. Yes; they were taken off. I sent to Hoolas Roy to know what became of the Bearers which he had written to Major Mac Donald for, and which he had stationed for me. When Hoolas Roy came, he said they were taken away by Jewar Alli Khan, and that he had no Power or Authority to procure me others, and that the Post from Benares had been intercepted for some Days. I then desired Hoolas Roy to spare me some of his own Bearers, which he did; for he told me that probably I might meet with the other Set of Bearers at the next Chokah or Station. When I came to that Station there were no Bearers. I was then obliged to take the same Set on, and to collect as we went along the Road, by giving them Money, People to carry the Palanquin: I walked some Part of the Way myself, till I arrived at a Station that was out of the Begum's Jaghire; there I found the Bearers, and proceeded on to Lucknow.

Q. Are Bearers, the Persons employed to carry the Palanquin?

A. They are.

Q. The customary Mode of Travelling?

A. Yes.

Q. Did you find the Bearers ready for you all the Way before you entered the Begum's Jaghire, and all the Way after you left the Begum's Jaghire, and only taken off in the Begum's Jaghire?

A. They were only taken off in the Begum's Jaghire.

Q. At other Places you found them regular?

A. At other Places I found them regular.

Q. Recollect, as near as you can, the Day when this happened, that the Bearers were taken off in the Begum's Jaghire?

A. I cannot positively say at this Distance of Time; but I think it must have been about the 20th or the 21st of August.

Q. Did you proceed to Lucknow?

A. I did.

Q. Was you ordered back to your Station in the Goruckpore District, and how soon after?

A. I was ordered back to my Station by Colonel Hannay.

Q. From Lucknow?

A. From Lucknow.

Q. How soon after your Arrival at Lucknow?

A. I left Lucknow, I believe, on the First of September.

Q. Where was you ordered to proceed to?

A. I was ordered to proceed back to my Station at Gungowah, and from thence to proceed to Acherpore.

Q. Was that Place to be a Rendezvous of Troops to march to Benares at that Time?

A. It was.

Q. Do you know how far Acherpore is from Fyzabad?

A. I really cannot exactly tell the Distance; it may be about 30 or 36 Miles from it.

Q. Is it on the same Side of the River Gogra with Taundah?

A. It is.

Q. How far is Acherpore from Taundah, on the same Side of the River?

A. I think, from the Route Colonel Hannay gave me for my March, it was about 10 Cos or 20 Miles.

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Q. What other Troops were to assemble at Acberpore, besides those under your Command, for the Purpose of marching to Benares?

A. The Detachment under Lieutenant Gordon, and some Troops under Colonel Hannay's immediate Command from Sacrora.

Q. Under whose Command?

A. Col. Hannay's.

Q. Were all the Troops ordered to assemble at that Place, the Troops in the Nabob's Service commanded by English Officers?

A. They were: There might have been Bodies of Horse with Colonel Hannay, which I was unacquainted with; he mentioned to me the Sepoys, the Number of Sepoys that he meant to take with him.

Q. Where was the Nabob Vizier at this Period?

A. Really I cannot say where he was.

Q. Was he on his March to Chunar to meet Mr. Hastings?

A. At what Time?

Q. At the Time when Colonel Hannay ordered you to proceed to Acberpore with his Troops—Was the Nabob at that Time in his Way to meet Mr. Hastings at Chunar?

The Managers for the Commons objected to the Question.

Then the House adjourned to the Chamber of Parliament.

Die Mercurij, 27^o Februarij 1793.

THE Lords being in their Places, the House resumed, the usual Proclamations made, and the Defendant appearing at the Bar, the Lord Chancellor informed the Counsel for the Defendant, they might proceed in his Defence.

The Counsel for the Defendant desired Captain Williams might be called in.

Captain DAVID WILLIAMS was accordingly again called in, and examined as follows :

Q. Whether, in consequence of the Orders you received from Colonel Hannay, you did proceed from Lucknow to your Station ?

A. I did.

Q. State the Time as near as you can recollect ?

A. I left Lucknow, I believe, on the 1st of September 1781.

Q. In going from Lucknow back to your Station, which you stated to be at Gungowah, was it the direct Route to go through Fyzabad ?

A. It was.

Q. Did you proceed through Fyzabad ?

A. No.

Q. Why not ?

A. Because I was apprehensive that the Begums would have prevented me :—would have stopped me.

Q. What Route did you take upon that Account, instead of going the direct Road through Fyzabad ?

A. I went by Sacrora.

Q. How far was that about to avoid Fyzabad ?

A. I cannot positively say, but about 50 Miles.

Q. Did any of your People afterwards proceed through Fyzabad that you know of ;—any of your Officers and Soldiers ?

A. An orderly Sepoy and a Servant belonging to me went through Fyzabad ; the former, the Sepoy, was killed, and the Servant was robbed and plundered.

Q. Where ?

A. At Fyzabad.

Q. This was the Beginning of September ?

A. It was ; my Servant followed in a few Days,—I left them at Lucknow when I proceeded.

Q. Where did you proceed to from Sacrora ?

A. To Amora, the Station where Major M'Donald was.

Q. Where from thence ?

A. I proceeded to Geruckpore, from thence to my Station at Gungowah.

Q. Did any Circumstance happen, that you recollect, on your Journey from Sacrora to Gungowah ?

A. At Amora Major M'Donald informed me that Zalim Sing, Pertipaul Sing, and other Rebels, were upon the Eve of crossing the Gogra ; that they had Intelligence of it, and that some of their Adherents had already done so at that Period ; and therefore he desired that I would take some of his Horse to escort me to Bully.

Q. Is that the next Stage ?

A. I cannot say positively.

Q. Who were those Persons you have described, Zalim Sing, Pertipaul Sing, and the other Persons ?

A. Zalim Sing was an expelled Rajah from Amora, Pertipaul Sing was expelled as a Rebel from Bully ; and they both took Protection in the Begum's Jaghure.

Q. Who

Q. Who was the Third Person ?

A. I cannot recollect the Names.

Q. How long before this had those Rebels been expelled the Country ?

A. I understood previous to my Arrival.

Q. When was your Arrival there ?

A. In February or January 1781.

Q. Did any Thing happen afterwards before your Arrival at Gungowah that you recollect ?

A. A Sepoy at Busty came to me, and acquainted me that the Post in the Jungle near Busty had been attacked and carried, and he wanted to know (he being One of the Party) what he should do ; I ordered him to make the best of his Way to the next Post.

Q. What happened when you arrived at Gungowah ? What state did you find the Country in there ?

A. My Commandant, upon my Arrival at Gungowah, informed me that Rajah Futtu Saw, Rajah Genoo Roy, and Rajah Ajeet Mull, had assembled a large Force opposite Mungurry, and were in Readiness to commence Hostilities in the District.

Q. Who was the Commandant ?

A. The Commandant was named Doond Sing—The Commandant of my Battalion.

Q. Was there another Person of that Name under Captain Gordon ?

A. There was a Doond Sing, a Subahdar, belonging to Major M'Donald.

The Managers for the Commons objected to the Evidence.

The Counsel for the Defendant were heard in Answer ; and the Managers for the Commons waived their Objection.

Q. Who were those Persons, Futtu Saw, Genoo Roy, and Ajeet Mull ?

A. Futtu Saw had been for many Years a Rebel against the Company's Government, and a Reward, a public Reward, had been offered for his Head ; Ajeet Mull was a Rebel, who had been expelled from Maujole, and Genoo Roy, from Purowna.

Q. You are understood to say, they were Three fugitive Rebels from the Nabob's Country, belonging originally to the Nabob ?

A. No ; Futtu Saw belonged to the Company, Genoo Roy was expelled from Purowna.

Q. How long had those Persons been out of the Country ?

A. Futtu Saw, to the best of my Recollection, went into Cheit Sing's Country about the Month of May.

Q. (by the Managers.) From whence was Futtu Saw expelled ?

A. Does the Question mean from whence was he originally expelled ?

Q. Both : From whence was he expelled ; and when you said he returned into the Country, when he last fled, what the Places were ?

A. The Forest I have alluded to is the Jerry Jungle, a large Forest which almost divides the Country ; it divides the Nabob's and the Company's District.

Q. From whence did he come when he returned into the Country ?

A. A Place, I believe, called Sujaunpore, in the District of Ghauzipore.

Q. (by Counsel.) How long had Genoo Roy been out of the Country ?

A. It must have been some Time previous to my Arrival in the Country.

Q. And the other Man, Ajeet Mull ?

A. About the same Time, I believe.

Q. What did you do in consequence of the Reports made to you by your Commandant respecting those Persons ?

A. I sent to recall some of my detached Parties, that were liable to be attacked, to join me immediately.

Q. Did you march with your Troops after you had assembled them ?

A. I did.

Q. State the Day, as well as you can recollect ?

A. It was either the 6th or 7th of September. It must be considered that I am speaking about Dates ; I cannot fix them exactly, as it is upwards of Eleven Years ago since the Transactions happened.

Q. To

(1927)

Q. To what Place did you direct your March?

A. I proceeded on my March towards Acherpore in Conformity to Colonel Hannay's Orders.

Q. Proceed in your Narrative, and relate what passed.

A. On the First Day of our March, when I came to the Ground, I had Intelligence brought to me by my Hircarrah, that the Boats on the Gogra were destroyed, and upon the other Nallas and Rivers in my Way. In consequence of that Information, I found it would be impossible for me to proceed by the Route which Colonel Hannay originally directed; I therefore marched back the following Day to my former Station, in order to proceed by the Way of Barragong and Chupra to Benares—On the Morning of my intended March by that Route, the Sepoys mutinied, and prevented my Proceeding—They were for Two Days in a total State of Mutiny, would obey no Orders, and frequently proposed going to Cheit Sing, at Benares, or to the Begums at Fyzabad, and, at one Time, some of them proposed to carry me a Prisoner to the Begums.

Q. What was meant by "proposed"?

A. They proposed it themselves; they said they declared they would do it. I took every possible Means in my Power to endeavour to reduce them to some State of Order, for I found it exceedingly dangerous to turn one Part of them against the other, (for Part of them were still attached to me), as there was at that Time a Body of about 6,000 Men lying on one Side of my Cantonments, and the Enemy had 2,000 of the Rebels on the other Side. I was joined in the Course of a few Days, in the Course of a Day or Two afterwards, by Two Companies; those Two Companies remained firm and obedient to Orders, and when I had got the Whole in a tolerable State of Obedience, I marched from Gungowah towards Goruckpore, as I could not prevail upon the Troops to march to Benares, or to attack the Body of the Enemy who were at some Distance.

Q. And you order them to do so?—Had you given them any Orders for that Purpose?

A. I had given Orders and used every Persuasion and Means in my Power to induce them to do so.

Q. Obedying these Orders, what did the Sepoys say or do, that were ordered to march to Benares?

A. They said they would not march by Burragong and that Direction, but that they would go to the Begums at Fyzabad. I beg Leave to observe, that I confine this particular Part to the Mutiny of the Two Days of Mutiny before the Junction of the other Troops.

Q. Did they give any Reason why they would go to the Begums, and not to Benares?

A. Yes, they said they would pay them their Arrears, and take them into her Service. I verily cannot collect every Thing that passed in such a tumultuous Assembly, in a State of Anarchy.

Q. (by a Lord.) Do you mean then to state that you were in Arrears to them?

A. The Troops were greatly in Arrears, and I had made frequent Applications, repeated and repeated Applications to Mr. Wombwell the Paymaster, for the Pay of the Troops, long previous to the Mutiny of which I am now speaking of.

Q. Was this the Cause of their Mutiny?

A. That was at first the ostensible Cause.

Q. (by a Counsel.) Was that the sole Cause, the real Cause?

A. I really believe, from the Reports and the Accounts that my Commandant and the Officer of the Troops gave to me, that the Minds of the Two Subadars, Buctaur Sing and Khan Mahomet, had been corrupted by the emissaries from Fyzabad during my Absence. The Commandant stated to me that a Goru, a Priest, had come from Fyzabad to my Cantonments Four or Five Days before my Absence, and had been in close Conversation with Buctaur Sing, and was suspected; and that he had ordered him out of the Camp Two or Three Days before, thinking that he was there upon some improper Mission.

Q. (by a Lord.) Did you advance them any Part of the Arrears?

A. I did; I will state exactly what happened: During my Absence at Lucknow, a Month's Pay had been sent for them; upon my Return, it was my Intention, as soon as I had collected every Thing together, and had got every Thing in Readiness for my March, to have paid them as soon as I got out of the District of Burragong.

Q. (by a Lord.) What was the Behaviour of the Troops after the Payment of their Arrears? What was their Conduct?

A. Immediately after their Payment they promised to be obedient to my Orders.

Q. (by a Lord.) Were they obedient?

A. They promised it, and they apparently were so for a few Hours, but afterwards they turned the Guns against the Bungalow, or Habitation I was in, loaded with Grape.

Q. (by a Lord.) You have said there were Three expelled Rebels, Two of them you named, the Third you could not recollect; do you know what Reception they met with from the Begums?

A. I understood that they received Protection there, because Colonel Hannay had complained to me many Months before, of every Person who was expelled from that Country being protected, finding it was a Sanctuary.

Q. (by Counsel). When was it that you paid the Troops their Arrears, and what Arrears did you pay them?

A. I paid them a very short Time after; and I paid them Three Months, those Two Companies that were with me, out of One Month's Pay that I had received for the whole Corps; and I was also obliged to borrow a very considerable Sum of Money from the Aumil, Mahomed Shufta Cawn, or rather compelled him to lend it, for he was not disposed to do it. He was compelled to lend the Money to pay the Troops. I gave him a Receipt for it, and it was afterwards paid.

Q. You spoke of official Reports made to you relative to the Cause of the Mutiny, and One Cause being the Emissaries from Fyzabad having corrupted the Two Subadars; whether your own Observations tended to negative or confirm that Report?

A. My own Observations certainly went to confirm it.

Q. What were the Circumstances that induced you to believe, that the Subadars were corrupted by the Begums, or their Emissaries?

A. It was from the Report of the Commandant to me, from the Information I derived from the other Officers, as well as from the Circumstances which had formerly happened to those Two Subadars: One of these Subadars was supposed to be dismissed from Captain Harper's Battalion, for intriguing about the Court of Fyzabad, carrying on an intriguing Correspondence; the other had been active in the Mutiny in Captain Maxwell's Battalion at Daranagur. From these Circumstances, and from the Character of these Two Men, and their being engaged in former Intrigues, my own Observation of their clandestinely assembling of the Sepoys, and getting them together about their Tents, did not leave a Doubt in my Mind of their Criminality.

Q. (by Managers). Were those clandestine Meetings before the Mutiny of the Troops, under your Command?

A. Yes, certainly.

Q. Whether those clandestine Meetings might not have been to concert the Mutiny which afterwards appeared among the Troops, on Account of the Want of Pay?

A. Yes. Some of them happened after the Mutiny had taken Place.

Q. (by Counsel). State any other Circumstance which tended to corroborate the Account you received from your Commandant, of similar Practices upon other Persons in that Country?

A. A Person that joined me at Buckra, or near Buckra, of the Name of Bridge Bookum, and who joined me with about 200 Men, declared to me that he had Letters written by the Begums Agents, to desire him to collect all his Forces, and use every Means in his Power to destroy and annihilate the British Officers and Troops under their Command in that Country, and that he should be liberally rewarded, if he did so.

The Managers for the Commons objected to the Evidence.

The Counsel for the Defendant being heard in Answer to the Objection, and the Managers for the Commons being heard in Reply,

The Witness was asked,

Q. Did you communicate these Reports to Mr. Hastings, or to the Nabob?

A. I did it to neither; I communicated them to my immediate Commanding Officer, Colonel Hannay.

Q. (by a Lord). Had you any Doubt of the Truth of the Representation made to you by the Commander of the 200 Men?

A. I never had any Doubt of the Truth of that Report.

Q. Could it have answered any possible Purpose to that Person, to have deceived you?

A. Not that I discovered.

Q. (by Counsel). Did you, in communicating to your Commanding Officer the Reports you received, communicate them for the Purpose of being transmitted to Mr. Hastings?

A. I transmitted them officially to Colonel Hannay, as my superior Officer, and doubtless he would transmit them to Mr. Hastings, as his Superior.

The Managers for the Commons objected to the Evidence.

The Counsel for the Defendant were heard in Answer to the Objection.

The Managers for the Commons waived the Objection.

R. (b)

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Q. (by Counsel.) Did you receive officially any similar Intelligence from other Persons ?

A. I received a Number of them from the Officers who were detached to me, mentioning a Number of Circumstances, stating that Parties who had attacked them in their Way to join me, had acted in Conformity to Orders they had received from Cheit Sing and the Begum.

Q. Did you see the Ranna of Baunsey ?

A. No; I really did not see her—she was in her Palanquin, as Ladies in India are not seen. She came to my Camp in her Palanquin, and held a Conversation of some Length. She was the Governor of the District of Baunsey. The Purpose of her Mission to me was to beg I would not march against her Son, who was a young worthless Man; who had the Night before, I believe, made an Attempt to carry away some of the Bullocks belonging to the Artillery, and had refused to supply my Camp with Grain. She told me, she hoped I would not attack her Son, that she would take Care to supply me with Grain, and that she would leave her Dewan with me till I got out of her Country; and she mentioned that Application had been made to her from the Begums Agents at Fyzabad, to attack or molest any of the English Detachments or Officers, and that she had refused it, and had written that she would not do it: That her Husband had been guilty of some Acts of Rebellion in Sujah Dowlah's Time, and she had seen the Folly of making any Attempts of that Kind, which might ultimately prove her own Destruction: That she had saved her Husband's Life by going to the Court of Fyzabad, and pleading his Excuse.

Q. (by a Lord.) What was her Son's Name ?

A. I think his Name was Serabjeet Sing;—I am not certain.

Q. (by Counsel.) Whether Sujah Dowlah held his Court at Fyzabad, and not at Lucknow, where his Successor now holds it ?

A. He held his Court generally at Fyzabad; it was his principal Residence.

Q. Do you recollect what the Time was when you had this Interview with the Ranna of Baunsey ?

A. I believe it was after the 9th of October; I cannot exactly state the Day, between the 9th and the 12th.

Q. When did Bridge Bookum join you ?

A. Two Days, I believe, before my Arrival at Baunsey, which, I think, was the 7th or 8th of October.

Q. Had you a Person of the Name of Bidjoo Sing, a Subadar, under your Command ?

A. There was a Subadar of that Name.

Q. Did you receive any official Reports from him ?

A. Bidjoo Sing wrote me a Letter, stating that he had seen a Purwannah under the Begum's Seal, offering a Reward of 1,000 Rupees for the Head of a British Officer, 100 Rupees for a Native Officer, and 10 Rupees for a Sepoy.

Q. Did you preserve that Letter ?

A. I have not preserved any Letters: All Letters of that Tendency I left under the Charge of my Moonshy, and gave him Orders to destroy all the Persian Papers, the Correspondence that passed in the Country at the Time, being apprehensive that they might be taken, as the Baggage was attacked every Day in our March, being in the Rear, and going through the Forest.—All Papers of an evil Tendency that might fall into the Enemies Hands.

Q. Were there any intercepted Letters amongst those Persian Papers which you state we destroyed, Letters addressed to the People of the Country that were intercepted ?

A. There was a Letter intercepted to Ajeet Sing, the Rajah of Gudgepoor; it was intercepted at the Ferry of Barackpore, close to my Camp: It was enclosed in the Hollow of a Bamboo, and brought to me; that Letter was written by Jewar Alli Cawn to Ajeet Sing, desiring him to raise all the Force that he could, to use every Means in his Power to destroy and annihilate the English Officers and Sepoys in the Country; it stated a Number of Circumstances; it was a very long Letter; it was the Commandant who brought it to me in the Tent, and I destroyed it immediately in the Tent.

Q. Was there any Account given of the State of Affairs in Benares in that Letter ?

A. I think it stated the Loss of Captain Mayaffre's Detachment, and that that was the Time that he might act with every Prospect of Success—that he would have no Doubt of Success, or something to that Purport.

Q. You have said that Ajeet Sing was Rajah of Gudgepoor ?

A. Yes.

Q. What Part did he act during these Distresses ?

A. He was a Person concerned, and his Brothers, Suban Sing and Pulwan Sing were concerned in the Attack made upon the Post at Goruckpore, as was reported to me by the Officer when I arrived.

Q. What

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Q. What Part did Ajeet Sing take after your Arrival?

A. He was hostile, and in Arms.

Q. Is Gudgepoor, of which he was the Rajah, Part of the Nabob's Country?

A. It is.

Q. Was there an Adjutant and some other Officers under your Command at Fyzabad at this Time?

A. The Adjutant of my Battalion, and some other Officers, Two or Three, or Four or Five, I do not recollect how many, were upon Leave of Absence at Salone, I believe where their Families were.

Q. Relate whether they joined you, and if not, why they did not join you at this Time?

A. The Adjutant and these Men, hearing of what happened at Benares, made the best of their Way to join me. When they came to Fyzabad, or near it, they found it impossible to proceed, and were obliged to secrete themselves there, by taking off their Clothes and dressing themselves in the Habit of Fuckeers, and they joined me at Sacora. When Captain Gordon arrived they came with him, along with his Escort: They stated to me, that during the Time they secreted themselves at Fyzabad, the Begum's Eunuchs, Jewar Alli and Bahar Alli Cawn, were continually raising Troops and sending them to the Assistance of Cheit Sing.

Q. Do you remember any official Reports made to you by those Persons of what happened at Fyzabad when Zalim Sing took Possession of Amora—name the Persons? What was the Name of the Adjutant?

A. The Adjutant's Name was Meer Sakeralli; but the Rest I really do not know. They mentioned that a Salute was fired at Amora; they understood it was fired at Amora upon Zalim Sing's getting Possession of the Artillery at that Place; and that that Salute was returned from the Kella at Fyzabad.

Q. Whose Artillery did Zalim Sing get Possession of?

A. The Artillery with Major McDonald.

Q. Do you remember any Mention made in the Letter you speak of, of the 30th of September, having been intercepted on the 30th of September, of a Subadar of Major McDonald's?

A. It mentioned that a Subadar belonging to the Artillery had gone off, had deserted from the Company's Service at Mugga; and, as I think, but I cannot be positive at this Distance of Time, that he was to join Ajeet Sing; but I cannot charge my Memory at this Distance of Time.

Q. Did it give any Representation of the Disposition of that Man, one Way or the other, whether he was for or against the English Forces at that Time?

A. He certainly went against them, having deserted from them.

Q. Do you know whether that very Subadar, mentioned in the Letter, had acted in any Manner hostilely to the English Forces, or improperly to them respecting his own Corps?

A. It was reported to me by my Subadars, Denoo Sing and Bidjoo Sing, that this Subadar of Artillery made a Proposal to them to go off with their Companies to the Begums at Fyzabad; and that in consequence of that, finding he had not succeeded, he deserted with his Company, Twelve Men, I believe.

Q. Do you remember intercepting any Letters at a Place called Darra?

A. There was brought to me a large Parcel of English Letters which my Hircarra found in a Ditch near the Village of Darra, some of them were opened and others not. I sent immediately my Hircarras secretly to the Village to endeavour to discover who had intercepted them;—they came back to me, and said they had discovered the Parties;—in consequence of which I sent a Party of Sepoys to apprehend them;—they were brought to the Camp to me, and I asked them if they had flopped the Dawk; they acknowledged that they had, and that they had Orders for so doing.—I really cannot say positively whether it was from the Begums or the Eunuchs; I am not clear which.—I ordered them to be punished as an Example.

Q. Did you say in general, that you had given Orders for the Letters that had been intercepted to be destroyed; and do you know whether there was any one Letter which happened not to be destroyed?

A. There was a Letter which I found a few Years ago, which was translated for me by Captain Broom.

Q. Where was that Letter found?

A. It was discovered amongst a Number of Persian Papers, some loose Persian Papers in a Trunk: I desired Captain Broom to examine them, and threw them before him.

Q. Was there any particular Reason for preserving that Letter, or was it by mere Accident that it happened to be preserved, and not to be destroyed with the Rest?

A. Certainly was by mere Accident, for I knew nothing of my having got it.

Then a Letter was shewn to the Witness, and he was asked if that was the Letter.

A. This is Captain Broom's Translation of it.

The Counsel for the Defendant stated, that the Paper last produced was delivered in by the Witness to the House of Commons, in whose Custody it had been ever since.

The Managers for the Commons admitted that the Paper had been in their Custody, as stated by the Counsel for the Defendant.

Q. (by Managers). What Seal is there to it?

A. There is none.

Q. Is there any Cover to it?

A. No.

Q. Neither Signature nor Direction?

A. No.

Q. (by Counsel). Do you believe that Letter to be One of the Letters which you intercepted at that Period?

A. I do, from the Contents of it; it mentions that Ajeet Sing and others were ... file.

Q. (by Managers). You mean from the Contents of it, as explained by Captain Broom?

A. Yes, for I do not understand Persian.

The Counsel for the Defendant informed the House, that to prevent any Doubt respecting the true Contents of the Letter, they had desired Mr. Halhed to translate it, who was attending to authenticate it, and requested he might be called in.

Mr. HALHED was accordingly called in; and being sworn, was examined as follows :

Q. You are acquainted with the Persian Language?

A. I am.

Then the Paper was shewn to the Witness, and he was asked,

Q. Have you made a correct Translation of that Paper?

A. To the best of my Judgment.

Q. Is that Paper in your Hand a correct Translation?

A. To the best of my Judgment.

Q. Do there appear to be some Passages in it defective in the Original?

A. I do not know that they are defective in the Original, but they are such as I cannot read.

Q. Have you left Blanks for those Passages which you could not make out, or decypher?

A. I have.

Then the Paper was delivered in, and the Translation was read by the Clerk, as follows :

“ To the most Noble - - - whose Prosperity be everlasting!

“ It is represented, that the August Perwanch (Command) having completed his honourable Arrival on the 16th of the Month, in the Evening, highly exalted me. It is ordered that I should charge Medceeporee, and the other enrolled Sepoys belonging to my District, and take Bonds from them, that none of them go for Service to the Rajas, and that when 400 or 500 Men, Nejeebs and others, are collected, I should send them to the Presence. According to the Order, I have written to Brejû nekar Shah Rehemet Ulla, who is in Bhooaparrah, charging him to take Bonds from them, and that whatever Seepoys, fit for Service, are collected, he should send to the Presence. As at this Time the Wind is contrary, the Sepoys will not - - - without travelling Charges; for I have learnt from a Letter previously received from Brejû-nekar Shah Rehemet-ullah, that the People there also are badly inclined. By the Grace of God, the unalterable Glory shall be - - - Zehan Beg, and the Nejeebs, who were in the Fort of Anceleh, have gone off to Gorukpoor. A Perwanch should be issued to Laleh Bejenathe, to send to the Presence the Nejeebs and other Sepoys that may be collected. I have written to Raja Ajeet Singhe, Brother of Raja Shewban Singhe, that he should be gratified with a Troop of 500 faithful - - - Nejeeb Men, to his own great Honour and Advantage, and that the Foot Peadehs - - - Soldiers should obtain the Honour of being enlisted among the Dependents of the Sircar. In

case he cannot go himself, he should send - - - to the Presence, with his chosen Men, - - - whatever he shall write in Answer shall be immediately communicated. The 40 Men, viz. Mutnâd Khân, &c. who were - - - at Owdhoolée, would not take Service, but have gone off. Shikhh Kelen, &c. 50 Men, and Irâd t Khân, &c. 11 Men remain with me. As the Troops were small, I have engaged 60 more new Peiâdehs; their several - - - shall (hereafter) be sent to the Presence, when you will be pleased to have them entered on the Roll. The Peiâdehs demand Pay. Please to give Orders thereon. What more - - - ? May the Sun of your Prosperity and Glory be ever luminous and resplendent!"

Q. (*by Managers*). Whether there is any internal Evidence in that Letter, which leads you to know by whom it was written or to whom it was addressed?

A. I cannot pretend to form any Opinion concerning it.

Q. Whether, unless the Cover of the Letter could be found, it is possible to know the Writer, or the Person written to, it being usual to write the Name of the latter on the Cover only, and to affix the Seal of the former, without any Subscription of the Writer's Name, as is customary with us?

A. I think it is not possible; I do not exactly understand the Question.

Q. Being conversant with the Customs of India, whether the Passage in this Letter which directs the Officer to collect Troops, and that whatever Sepoys were fit for Service, he should send to the Presence, ~~must~~ not have been an Order directed to some Officer acting for a Power who retained Sepoys in their Service?

A. I suppose so.

Q. What the Word "Presence" generally means in India?

A. The governing Power.

Q. What does "Sircar" mean?

A. "Sircar" has more Meanings than One; but, the Government, in general.

Q. Whether the Term "August Purwanna, or Command," would in India be applied to any inferior or dependant Person?

A. The Persian Word is certainly applied to a Variety of Governments, and to Persons in high Station.

Q. Whether you perceive any Thing in the Letter to decide you that that Letter must have been written by any of the Begum's Ministers?

A. I cannot pretend to say.

Q. (*by Counsel*.) Whether that Expression which you say is often applied to a Variety of Governments, and Persons of high Stations, would be properly applied to Persons standing in the Situation the Begums stood in—to Persons of the high Rank and Station they stood in?

A. I cannot speak to the Fact, having never seen any Correspondence with the Begums; but I do not doubt it.

Q. From the general Import of the Letter, and from the Knowledge you have of Indian Customs, whether you can form any Judgment respecting that Letter, whether it is, or is not, written by an Inferior to a Superior?

A. Undoubtedly.

Q. It is written by an Inferior to a Superior?

A. Undoubtedly.

Q. (*by a Lord*.) What is the Meaning of the Mark at the End of the Letter?

A. That is the Top of the Letter; it is an Aleph; it signifies the Unity of God, and proves it to have been written by a Mahometan.

The Witnesses was directed to withdraw.

Then the Paper was shewn to Capt. Williams, and he was asked,

Q. (*by Counsel*.) Do you know any of the Persons named in that Letter?

A. Rajah Ajeet Sing.

Q. Was that Man, Rajah Ajeet Sing, the Brother of Souban Sing?

A. Yes.

Q. Was that the Person who acted hostilely against the English at that Period?

A. Rajah Ajeet Sing, and Souban Sing, I conceived to be hostile to the English.

Q. Is there any other Person that you immediately recollect?

A. No.

Q. (*by*)

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Q. (*by Managers.*) Whether it appears that the Troops mentioned in the Letter were brought to support Ajeet Sing, or to oppose him?

A. There is one Part of the Letter written to Rajah Ajeet Sing, "that he should be gratified by a Troop of 500 Faithful"—That he was to be gratified to be hostile to us, is the Meaning I draw from the Expression.

The last Question and Answer were, by Desire of the Managers, read by the Clerk.

Q. Whether, if it was written by an Officer of the Nabob, Ajeet Sing was not bound to obey such an Order coming from the Nabob?

A. I should suppose so: Ajeet Sing was not in the Nabob's Service, but he was a Subject of the Nabob.

Q. Was he not in the Nabob's Service?

A. He was not in the Service of the Nabob.

Q. Whether, if this Letter was written by an Officer of the Nabob, raising Troops by the Nabob's Orders for the Purpose of assisting the English, and if Ajeet Sing had been previously indisposed to the English, whether this Offer of gratifying him with the Command of a Troop was not a probable Method of inducing him to assist the Nabob's Purpose?

The Counsel for the Defendant objected to the Question.

Q. Upon what Grounds have you stated, or will you now state, that this was One of the intercepted Letters in India?

A. I ground it upon the Names of these People being introduced into the Letter who were hostile to me at that Time, and mentioning the Names of Places which I was acquainted with, and Towns—and this Letter was found among some Persian Papers, which were packed up when I came to England, and I did not know, till I came to England, having any Papers particularly respecting any Thing that passed in Goruckpoor; I therefore desired Capt. Broom to examine them, and he produced this Letter from amongst them as the only One.

Q. Whether you recollect or know how it came, that the Cover of the Letter, containing the Address of the Person to whom it was written, and by whom it was written, was lost?

A. I did not know I had such a Letter, as I only found it accidentally.

Q. Do you know that it ever had a Cover?

A. I cannot say; but doubtless it must have had a Cover: It was written upon Business.

Q. Had it a Cover when you found it in the Trunk?

A. Captain Broom found it.

Q. (*by Counsel.*) Whether there were Soldiers in the Begum's Army who might go under the Denomination of Sepoys?

A. There were some Sepoys in the Service of the Begum at Fyzabad, Persons called so.

Then Mr. Hastings made a short Address to the House.

Then the House adjourned to the Chamber of Parliament.

Die Jovis, 28° Februarij 1793.

THE Lords being in their Places, the House resumed, the usual Proclamations made, and the Defendant appearing at the Bar, the Lord Chancellor informed the Counsel for the Defendant, they might proceed in his Defence.

The Counsel for the Defendant desired Captain Williams might again be called in :

Accordingly Captain DAVID WILLIAMS was again called in.

The Counsel for the Defendant informed the House they had no further Questions to put to Captain Williams.

Cross-examined.

Q. (*by Managers.*) Whether you was at Lucknow on the 26th of November 1781?

A. I believe I was.

Q. Whether you did not make an Affidavit there, concerning the Subject Matter upon which you have now been examined?

A. I did.

Q. Before whom?

A. Before Sir Elijah Impey.

Q. Who also was present besides?

A. I cannot positively say; but I believe Lieutenant Morris was present.

Q. Was any Body else?

A. I believe not.

Q. Who drew your Affidavit?

A. I drew it myself.

Q. Did you swear it?

A. I did.

Q. Upon what Ceremonies?

A. Upon a Common Prayer Book.

Q. Whether you swore at the Time, to the best of your Recollection, the Truth, the whole Truth, and nothing but the Truth?

A. I swore to such Circumstances as immediately occurred to me at the Time.

Q. Whether what you swore upon that Occasion was true, to the best of your Memory, Judgment, and Recollection?

A. It certainly was true.

Q. Whether you have ever seen that Affidavit, or a Copy of it, from the Time you made it?

A. I have seen a Print of it;—I have seen it printed in the Benares' Narrative.

Q. Do you know any Thing of a Person called Saadut Ali Cawn?

A. Saadut Ali Cawn was the Brother of the Vizier Asoph ul Dowlah.

Q. Whether you did not Three Times, in that Affidavit, represent the said Saadut Ali Cawn as being as much concerned in the Rebellion which you mention as the Begums of Oude?

A. I stated in that Affidavit, I cannot exactly say how many Times, that Chait Sing, Saadut Ali, and the Begums, were concerned.

Q. Then how came you, in your Testimony before this House, wholly to leave out the Name of Saadut Ali?

A. I do not recollect that Saadut Ali Cawn's Name was mentioned by the Counsel.

Q. Why did you omit the Name of Saadut Ali Cawn, when you were so minute in giving every Circumstance relative to the Begums, and to them only?

A. I conceived from the Questions that were put to me by the Counsel, they did not go relative to Saadut Ali Cawn.

Q. Did not the Counsel expressly desire you to go on with the Narrative?

A. They did.

Q. Then why in that Narrative, mentioning every Particular of the Reports you had from your Officers, you have always uniformly left out any Mention of Saadut Ali Cawn?

The Question was read to the Witness.

A. I stated the Reports as they occurred to me at the Time, and I did not conceive there was any Question that related to Saadut Ali Cawn.

Q. Why you thought it was more probable that Two old Ladies in Oude were more concerned in raising that Rebellion, than Saadut Ali Cawn, an ambitious Prince, of whom his Brother, the Nabob of Oude, had very often expressed no small Jealousy.

A. It is impossible to so long a Question to answer.

Q. Whether you thought that Two old Ladies of Oude were more likely to raise a Rebellion, than Saadut Ali Cawn?

A. I believe they had it infinitely more in their Power than Saadut Ali Cawn.

Q. How do you know that?

A. Saadut Ali Cawn was at that Time at Benares.

Q. At what Time?

A. I believe at the Time of Cheit Sing's Insurrection.

Q. How came you so sedulously to put in your Affidavit, that Saadut Ali Cawn had issued Purwanna's upon that Occasion?

A. In that Narrative, I stated the Reports that the Officers made to me. It is a Narrative almost of all my Proceedings in my Military Capacity, and the Purport of that Narrative was to state how far I conceived, from the Intelligence I obtained, that Cheit Sing's Influence tended to excite the Disturbances in Baraich and Goruckpore.

The Counsel desired the Question to be read.

The same was accordingly read by the Clerk.

The Counsel for the Defendant desired, that, as the Witness was now examined to the Contents of an Affidavit, sworn Eleven or Twelve Years ago, he might have the Affidavit before him, more particularly as the Fact of the Witness having stated in that Affidavit, that Saadut Ali Cawn issued Purwannas on that Occasion, did not appear upon the Affidavit.

The Managers for the Commons objected; and insisted they had a Right to assume any Fact in a Cross Examination.

The Managers for the Commons were informed, that if they asserted as a Fact, that the Witness had stated any particular Circumstance, and asked him why he had so stated it, it was necessary the Witness should see whether he had in Fact said so or not.

The Witness said, If what is not in my Affidavit is stated to be there, it is taking an unfair Advantage of me; it is impossible I can, after so many Years, recollect all that I said in an Affidavit.

Then the Witness was asked,

Q. (*by Managers.*) Whether you did not swear, that, during the Attacks, the Rebels frequently called out to the Jemmadar to deliver up the Place to them, as they had Purwannas from the Begum, Cheit Sing, and Saadut Ali, for what they did?

A. I swore to the Reports that were made to me by the Officer commanding the Fort, and the Letter he wrote to me afterwards.

Q. When, therefore, you swore to the Reports which you now say were afterwards confirmed by a Letter, how came you not to state those Reports before their Lordships as they were?

A. I stated the Events in the Order of Time as they occurred; there were many Reports which I heard, that I have not stated. There were continually Reports brought to me every Day, and Intelligence. I sent out Hircarrahs, who continually brought me those Kind of Reports; such as cutting off Mr. Hastings, and Mr. Gordon's Detachment, and that Col. Hannay's was cut off; and in short, that I was the only One existing in the Country. There are many Things and Reports that I have not narrated at all; continually during that Time there were many Reports that I have not yet narrated, nor did I narrate them in the Affidavit; I stated as many of the Facts as were relative to myself, and the Influence of Cheit Sing.

The Managers for the Commons desired the last Question and Answer might be read.

The same were accordingly read by the Clerk.

Q. Why, in narrating the Reports in your Affidavit concerning the Encouragement given to the Insurrection by the Begums, you have joined with it Saadut Ali Cawn; and why, in the Account before

before their Lordships, you have omitted it? I speak in particular of those Reports to which I specially allude, and not to others that you might have made, or not, as you thought fit?

A. I conceived that the Questions put to me by the Counsel Yesterday only respected the Begums.

The Managers for the Commons desired that all the Questions put to the Witness Yesterday, by the Defendant's Counsel, might be read, without the Answers.

The same were accordingly read by the Clerk, to the following Question, viz.

Q. State any other Circumstance which tended to corroborate the Account you received from your Commandant of similar Practices upon other Persons in that Country? (a)

Then the Witness was asked,

Q. (by Managers.) Why did you confine these Reports that you had, relative to Saadut Ali Cawn, to the Begums only?

A. I really confined myself to the Subject Matter which I thought was pertinent, and that it was really only concerning the Begums, to which I was interrogated.

Q. What Reason had you to think you was only interrogated concerning the Begums, when, in the very Accounts you received, other Persons, as well as the Begums, were mentioned?

A. I conceive I have given an Answer completely to that Question.

Q. Whether, after the Mutiny in the Morning, your Soldiers proposed any Thing else than to march to Benares, and to join Cheit Sing and Saadut Ali, without the Mention of the Begums at all?

A. What Morning?

Q. Whether, in the first Morning of the Mutiny, the Mutineers mentioned their Design of going to any Body but Cheit Sing and Saadut Ali?

A. They mentioned they would go to Cheit Sing and Saadut Ali; and I cannot say but what they might likewise have mentioned they would go to the Begums, for they did afterwards say they would go to Fyzabad repeatedly.

The Question and Answer were read by the Clerk.

Q. Do you mean to say the Begums at Fyzabad?

A. Certainly.

The Managers for the Commons desired the former Question and Answer might be again read.

The same were accordingly read by the Clerk.

Q. Whether, in making your Affidavit at Lucknow, before Sir Elijah Impey, you mentioned any other Person whatever, that the Mutineers proposed to go to in the Morning Mutiny, excepting Cheit Sing and Saadut Ally only?

The Counsel for the Defendant objected, that what was contained in the Affidavit would best be collected, by reading it.

The Managers read the following Passage from the Affidavit.

"However, in a few Hours more they again mutinied, and, to the best of his Recollection, they proposed to march to Benares, and join Cheit Sing and Saadut Ally, who, as they said, would pay them their Arrears, and make them great Men, adding, that all the Europeans were cut off, and that he, meaning the Deponent, was the only Person left in the Country."

The former Question was read by the Clerk.

The same was objected to.

The Question was again read by the Clerk.

The Counsel for the Defendant desired the whole Affidavit might be read.

The Managers for the Commons stated they had no Objection.

Then the following Passage was, by Desire of the Managers, read by the Clerk.

"They came back, and reported that they would consent to obey, upon those Conditions. He went to the Parade in the Evening, and promised them Forgiveness, upon which they took

(a) Vide supra, Page 1925 to Page 1928.

‘ an Oath to obey his Orders, upon Condition that they were not to march to Banaris, so that it became impracticable to prosecute the Intentions he had formed; however, in a few Hours more, they again mutinied, and, to the best of his Recollection, they, proposed to march to Banaris, and join Cheit Sing and Saadut Ally, who, as they said, would pay them their Arrears, and make them great Men; adding, that all the Europeans were cut off, and that he, meaning the Deponent, was the only Person left in the Country.” (a)

The Counsel for the Defendant desired the Rest of the Affidavit might be read.

The following Passage was then read by the Clerk.

“ In the Evening the Two Subadars, Khan Mahommed and Bustour Sing, came to him, and proposed to carry him Prisoner to Benaris. On the 12th he represented to them, that if they did not immediately march to attack Futteh Saw, &c. who had already posted Detachments within Sight of the Cantonments, and, as he was informed, was lying near Hussanpoor, with near 7,000 Men, they would be distressed for Provision, since the whole Country was in Arms. He sent for all the Black Officers, and begged and intreated of them to use their Influence over the Men upon this Occasion; but they were deaf to all he could say. Had they complied, he was confident of Success against the Rebels, as Dadjoo Sing and Gobindram Misser had engaged to make a Diversion in his Favour, upon their Rear, whilst he attacked them in Front. In the Evening they came to a Determination to march to Fyzabad, to the Begum, who they also desired would pay them their Arrears, and take them into her Service.” (b)

Then the following Question was put to the Witness.

Q. (by Managers). How came you to narrate the Transaction of this Mutiny to their Lordships, and wholly to suppress the Circumstance that, in the Morning, Saadut Ally and Cheit Sing were only mentioned, and should mention only the Begums, according to your Affidavit, in the Evening?

The Managers for the Commons were informed that the proper Mode of ascertaining whether the Witness had stated the Facts assumed by the Question, would be to read the Evidence given by him Yesterday upon the Occasion.

Whereupon the following Question and Answer were read by the Clerk.

Q. Proceed in your Narrative, and relate what passed?

A. Upon the first Day of our March, when I came to the Ground, I had Intelligence brought to me by my Hircarrah, that the Boats on the Gogra were destroyed, and upon the other Nullas and Rivers in my Way. In consequence of that Information, I found it would be impossible for me to proceed by the Route which Colonel Hannay originally directed; I therefore marched back the following Day to my former Station, in order to proceed by the Way of Burragong and Chupra to Benares. On the Morning of my intended March by that Route, the Sepoys mutinied and prevented my proceeding. They were for Two Days in a total State of Mutiny, would obey no Orders, and frequently proposed going to Cheit Sing at Benares, or to the Begums at Fyzabad; and, at one Time, some of them proposed to carry me a Prisoner to the Begums. (c)

Then the Witness was asked,

Q. (by Managers). Why, in narrating that Mutiny, have you varied from the Affidavit in totally omitting Saadut Ally?

A. I do not conceive I have varied from the Affidavit at all; I stated that the Proposal was to go to Cheit Sing and Saadut Ally at one Time in the Morning, and to go to the Begums in the Evening,—in the original Affidavit I mean.

Q. Did you state that to this Court?

A. State what?

Q. Did you state that Saadut Ally was mentioned in the Morning, and the Begums in the Evening?

A. I believe I stated to the Court, that they would go to the Begums and Saadut Ally, I think.

Q. Had you any Conversation with Capt. M'Donald upon this Business?

A. Upon what Business?

Q. Upon the Business of the Insurrections in that Country, and the Causes of them?

A. I certainly had a Conversation with Major M'Donald.

(a) Vide supra, Page 261.

(b) Vide supra, ibid.

(c) Vide supra, Page 1927.

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Q. Upon that Subject ?

A. Upon my Return from Lucknow to my Station, when he mentioned that, in consequence of the Insurrection of Cheit Sing, the Rebels Zalim Sing, Purtypaul Sing, and others, as I have already mentioned, were ready to cross over to assist Cheit Sing; I cannot detail the whole Conversation that passed between me and Major M'Donald, but the Tendency of it was, that the Begums would assist Cheit Sing, and those rebellious Rajahs, and it was likely to become a very serious Matter, in consequence of Cheit Sing's Insurrection.

The Managers for the Commons desired the last Question and Answer might be read.

The same were accordingly read by the Clerk.

Q. Whether Major M'Donald mentioned any other Encouragement or Assistance the Rebels had, except from the Begums ?

A. I really cannot recollect entirely the whole Conversation that passed, at this distant Period, with Major M'Donald. It was a very long Conversation upon the Subject of our Military Operations against Cheit Sing in general.

Q. Whether you do not recollect that Major M'Donald informed you that Zalim Sing, One of the principal Persons in this Insurrection, had produced a Paper, which he the Rajah said was a Sunnud from the Nabob, restoring him to his Zemindary, and appointing him Collector of the adjacent Pergunnahs of Busty and Nagger ?

A. I cannot recollect that Major M'Donald told me at that Period, when I was at Amora, the Second of September, any Thing about the Sunnud or Perwannah.

The Managers for the Commons desired the last Question and Answer might be read.

The same were accordingly read by the Clerk.

Q. Did he ever tell you ?

A. I cannot be sure.

Q. Can you be sure he did not ?

A. I have already said I cannot be sure, I am not certain of it.

Q. Whether Major M'Donald did not mention that Zalem Sing had the Nabob's Directions to drive the Fringeers, that is the English, out of his District ?

A. No, I do not recollect.

Q. Do you recollect Major M'Donald told you so, and that Zalim Sing only waited for the Site (a) (Boats being already provided from Fyzabad, which Major M'Donald knew absolutely to be the Cafe), to cross the Gogra, and carry the Nabob's Orders into Execution ?

A. I believe the Honourable Manager is examining me respecting Major M'Donald's Affidavit, and not any Thing concerning my own.

Q. The Question is, whether you recollect that Major M'Donald told you so ?

A. I really cannot tell all the Conversation that passed between me and Major M'Donald upwards of Eleven Years ago; the Tendency of that Conversation was, that the Begums were hostile to us the English at that Period, and that they assisted Zalim Sing, and the other rebellious Zemindars.

Q. Are you sure that he never mentioned any Thing concerning the Part the Nabob took upon that Occasion, and Saadut Ally ?

A. Does the Question mean that the Nabob was concerned ?

Q. The Question is not whether you know it, but whether Major M'Donald did not tell you that he considered the Nabob as concerned in this, as well as Saadut Ally, and the Begums ?

A. He never told me that the Nabob was concerned.

Q. Did he ever tell you that he had in fact heard and credited such Reports ?

A. I have already said, I do not recollect that Major M'Donald said a Word to me about the Nabob.

Q. Do you undertake to swear, that Major M'Donald did not tell you that no other Persons were concerned in that Rebellion but the Begums only ?

A. He mentioned Cheit Sing and others, Saadut Ally, I believe ; I believe so.

The Managers for the Commons desired the last Question and Answer might be read.

The same were accordingly read by the Clerk.

(a) Vide supra, Major Macdonald's Affidavit, Page 259.

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Q. Are you sure he did not mention the Nabob himself?

A. I believe he never did.

Q. Did you see Major M'Donald at Lucknow on the 26th or 27th of November 1781?

A. I only saw Major M'Donald at Lucknow, but I cannot specify the particular Day.

Q. Was not at the Time of the Affidavits?

A. It was in the same Month; at the same Time, I cannot say the Time Major M'Donald made his Affidavit; I was not present.

Q. Was not Major M'Donald at Lucknow at the Time of the Affidavit?

A. He was at Lucknow, I believe, at the Time I made mine; but I can only speak to the Time I made my own; I believe he was there at that Time.

Q. Who desired you to come to Lucknow from your Station at that Time; did you get Notice when you were ordered to come to Lucknow, that you were to make any Affidavit there, or to give any Testimony or Deposition concerning these Transactions?

A. I was ordered to Lucknow at the Time alluded to with my Regiment, with my Battalion, which the Nabob thought proper to reduce at that Time, and to break the Corps.

Q. Who was it that suggested to you, or desired you to give any Testimony or Deposition concerning these Transactions?

A. I believe it was Sir Elijah Impey; I am not positive as to that Fact; either he or Colonel Hannay, I cannot be positive to that Fact.

Q. Had you no Conversation at all with Major M'Donald upon the Subject of the Transactions upon which your Testimony was desired?

A. I do not recollect that I had any Conversation with Major M'Donald at that Time respecting the Affidavit, or the Testimony that I was to make.

Q. The Question does not mean about the Testimony only, but about those Transactions?

A. No, nor about those Transactions.

Q. Had you any Conversation with your Officers, or your Moonshy, or Secretary, upon the Subject of the Affidavits which they made, or upon the Transactions to which those Affidavits related?

A. When I was desired by Sir Elijah Impey, I believe, or Colonel Hannay, to obtain such Information respecting Cheit Sing's Influence in the Country to create the Insurrection in Goruckpore and Baraitch, the Testimony of my Native Officers was required. Those Affidavits of the Native Officers I was totally unacquainted with at the Time;—what they deposed to. I believe I simply told the Commandant to carry the Native Officers to Sir Elijah Impey to depose to such Facts as came to their Knowledge; and the Contents of those Affidavits that the Native Officers made, I was unacquainted with at that Time.

Q. Does this apply to the Officers only, or to your Secretary also?

A. It applies to the Officers and the Moonshy; I desired the Moonshy to go with them to deliver his own Testimony.

Q. Do you know who drew their Affidavits for them?

A. No, I really do not.

Q. Did you never ask?

A. I never did.

Q. Was there any One on the Part of the Begums to give those Affidavits to your Knowledge?

A. I have already declared that I absolutely know nothing of what passed at the Time of taking their Affidavits.

Q. Have you any Reason to believe they were at any Time communicated to the Begums, or to the Nabob?

A. I really do not know whether they were, or not.

Q. Whether the Insurrections in Baraitch and Goruckpore were not pretty general in that Country?

A. At what Period?

Q. At the Period to which you depose.

A. Is it meant in the Month of September?

Q. In the Months of August and September, and until the Time when Mr. Nailor entered into that Country?

A. It certainly was general.

Q. Whether or no the Natives did not assign the Oppressions of Colonel Hannay, and of the Officers acting under his Command, as One of the Motives of that general Insurrection?

A. They never did to me, or to any One else that related the Circumstance to me—I never heard such a Circumstance in the Country—that Reason was not assigned.

The Managers for the Commons desired the last Question and Answer might be read.

The same were accordingly read by the Clerk.

Q. What Motive did they assign for the Desire of extirpating the English particularly?

A. It is impossible I can tell their Motive.

Q. What Motive did they assign?

A. Who is meant by they?

Q. The People who made an Insurrection in the Country.—What Motives did those who made that Insurrection in that Country assign? What Motives did you hear assigned?

A. The Orders that they received—that they acted in conformity to them—that was the Reason they assigned.

Q. That they acted in Conformity to Orders?

A. And at the Instigation of the Eunuchs, Jewar and Bahar Alli Cawn.

Q. Are you sure you never heard any other Reason assigned?

A. I believe they assigned also in different Parts of the Country different Motives; for at One Extremity of the Country they assigned One Motive, which was to assist Cheit Sing; at the other to assist the Begums.

Q. As the Natives did not assign any Motives of Oppression suffered from the English as a Justification of their Insurrection, what Motive do you assign to the Begums of Oppression upon their Part; that could make them conceive this rancorous Animosity to the English?

The Witness requested that the Question might be read.

The same was accordingly read by the Clerk.

A. Now the Question is read, I really cannot comprehend it—I really cannot understand it—it is so mixed with one Matter and another.

Q. You have asserted that the Natives assigned no other Motives for the Insurrection, to your Knowledge, except to assist the Rebellion of Cheit Sing, in one Part of the Country, and to assist the Begums, in the other Part of the Country;—is that so?

A. Yes.

Q. Then what Reasons have you heard that the Begums assigned for exciting that Insurrection for the Destruction of the English by Name?

A. I cannot speak to it as a Fact, but I will state what I heard;—that the Begums had been inimical to the English; long before that Period they had shewn that Disposition:—And also I heard that, if Cheit Sing had succeeded, they wished to place Saadut Ally upon the Musnud in the Room of the Nabob.

Q. From whom did you hear it, and what Grounds were assigned for it?

A. I heard it from Colonel Martine at Lucknow, and some others.

Q. Was Colonel Martine at Lucknow when those Affidavits were made?

A. He was.

Q. Whether, previous to this supposed Plot of the Begums to assist Cheit Sing in the Extirpation of the English in Favour of Saadut Ally, several of the principal Natives of that Country of Baraith and Goruckpore, namely, Zalim Sing, Partypaul Sing, and Genoo Roy, and some others, had not been expelled from their Possessions?

A. I heard they were.

Q. Do you not know they were?

A. I cannot say that I know it; they were expelled before I came into the Country.

Then the House adjourned to the Chamber of Parliament.

The

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Places. The House members, who were present, the Defendant appeared at the Bar; the Lord Chancellor informed the Defendant, that he might proceed with their Evidence.

Then Captain David Williams was again called in.

The Managers for the Commons desired the last Question and Answer might be read.

The same were accordingly read by the Clerk as follows :

Q. Whether, previous to this supposed Plot of the Begums, to assist Cheit Sing in the Extirpation of the English in Favour of Saadut Ally, several of the principal Natives of that Country of Baraich, and Goruckpore, namely Zalim Sing, Purtypaul Sing, and Genoo Roy, and some others, had not been expelled from their Possessions.

A. I cannot say that I know it; they were expelled before I came into the Country.

Then the following Question was put to the Witnesses.

Q. Do you know whether they were not Persons of considerable Rank, Power, and Influence in that Country?

A. I really cannot say; they had no Power when I was there. I cannot say what they were previous to my coming into the Country.

Q. Have you never heard?

A. I understood that One of them was Rajah of Amora, that is, Zalim Sing.

Q. Have you not heard there were other considerable Persons expelled?

A. Does the Question mean those I have already mentioned, or others?

Q. Whether you do not know, or understood when you were in the Country, that not only Zalim Sing, but other considerable Persons were expelled?

A. I really do not recollect; there might have been others for what I know; but I cannot speak to that.

Q. Do you not know that previous to this Time they excited considerable Disturbances, and that great Insurrections were raised in Consequence by them or their Agents?

A. There was no Insurrection in the Country previous to the Insurrection of Cheit Sing; I mean, when I say Insurrection, that there was no general Rebellion in the Country—there were occasionally some Disturbances from some petty Zemindars, who occasionally refused to pay their Revenue; I am speaking now of my Time.

Q. Whether you have not heard there were considerable Disturbances caused by those Men; the Men who were expelled?

A. I certainly conceive that they might have excited Disturbances.

Q. The Question means subsequent to their Expulsion?

A. The Honble. Manager questions me to a Fact I cannot speak to of my own Knowledge; I heard in particular of Genoo Roy—Major Lumsden told me he had been expelled, for making Disturbance, I think.

Q. Recollect that you have said that these expelled Zemindars had taken Refuge in the Jaghire of the Begums, of the Bow Begum, or One of them?

A. I stated that Zalim Sing, and Purtypaul Sing, had been protected in the Begum's Jaghire, and that the other Three, Futteh Saw, Genoo Roy, and Ajeet Mull, were protected in Cheit Sing's Country.

The Managers for the Commons desired the Question and Answer might be read.

The same were accordingly read by the Clerk.

Q. Whether or no these Persons did not probably consider their Expulsion as a Grievance to them, and therefore created Insurrections?

A. I had no Communication with those People to know what their Grievances were—I do not know what they considered.

Q. How do you know they took Refuge, and were protected, as you said, in the Begum's Jaghire?

A. It was frequently mentioned to me by Major M'Donald and Colonel Hannay, that those Two, Zalim Sing and Purtypaul Sing, were protected in the Begum's Jaghire.

Q. Whether

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Q. Whether any Representation was made to the Begum to that Effect, or any Requisition made to desire her to withdraw her Protection from them, or to deliver them up?

A. To the best of my Knowledge, Colonel Hannay told me he had made those Requisitions.

Q. Are you sure of that?

A. As far as I can recollect.

Q. Have you any Scrap of Paper to shew upon the Subject, or do you know of any existing?

A. I really do not know whether I have or not.

Q. If you have any, produce them the next Court Day?

A. I will produce any Letters that I have in Town; I have left a great many Letters in the Country.

Q. Have you heard what Answer the Begums returned to Colonel Hannay's Requisitions?

A. I do not recollect any particular Answer, but he complained of those People not being sent away in consequence of his Requisitions, and Major McDonald frequently, during my Stay with him at Amora, mentioned the Protection yielded to those Two, and to a great many others, which I cannot at this Distance of Time recollect.

Q. In whose Service was Colonel Hannay?

A. Certainly in the Company's Service, but he was lent to the Nabob; I do not know that he had any Commission from the Nabob.

Q. Do you know whether he made any Complaint of them to the Nabob?

A. I really cannot say.

Q. Or to Mr. Hastings?

A. I really cannot say.

Q. Whether you do not know that a great many considerable Persons were imprisoned at the Time, and just before the Time of the Insurrection?

A. I can speak only to those who were immediately under my own Authority; there were certainly a good many confined in the Fort of Goruckpore.

Q. What does the Word Burgomaul signify? what Description of Men is a Burgomaul?

A. I do not think it is any particular Description of Men; it means a Prisoner. It is a Word I never heard before I went to that Country, it is a local Word of the District.

Q. What does that Word mean?

A. I think the Construction I have put upon it, a Prisoner; it was made use of in that Manner.

Q. Were there not 118, or some great Number of such Prisoners, confined in the Fort of Goruckpore?

A. There were a great many confined there.

Q. Upon what Account, and by what Warrant?

A. I cannot say upon what Account, all of them were confined there; some were confined, I believe, for Deficiency of Revenue, some for Robbery, and some for Murder.

Q. Do you know that?

A. It was reported so.

Q. Have you any other Reason than that, to know for what those Prisoners were confined?

A. When I was at Goruckpore, after the Attack of the Fort, I released many of those Prisoners, who were confined for a Deficiency of Revenue.

Q. Then you know there were some confined for that Cause; how many did you release upon that Account?

A. I really cannot speak to the exact Number; I released a good many.

Q. Do you know, if they were so confined for Deficiency of Revenue, whether they were not Landholders of the Country?

A. I suppose they were.

Q. Whether the Insurrection had not for its ostensible Cause the freeing these People from Prison?

A. The Rebels who attacked the Post, I believe, assigned that as one Reason among many others.

Q. Whether, amongst those Prisoners, there was not a Person of Rank called Rajah Mustapha Cawn?

A. There was a Person of that Name.

Q. What became of this Rajah Mustapha Cawn?

A. I have Reason to believe he was executed.

Q. Under what Process?

A. Upon an Order sent to me by Colonel Hannay, and which I transmitted to the Commandant of the Fort in which Mustapha Cawn was imprisoned.

Q. When did you transmit those Orders to the Officer?

A. I cannot exactly state the Day; I believe it was about the 24th or 25th of September.

Q. Where was Colonel Hannay when he gave those Orders?

A. He was at Sacora.

Q. To whom did he give them?

A. The Orders from Colonel Hannay were transmitted to me.

Q. And did you direct them to be executed?

A. I presented the Orders of Colonel Hannay to the Officer in the Fort, who carried them into Execution, as he reported to me afterwards.

Q. Did you give the Order yourself?

A. I never think the Commandant carried the Order from me, and was the Channel that conveyed the Orders from me to the Officer who commanded the Fort.

Q. Then the Order went from you through the Channel of the Commandant?

A. Certainly, the Commandant was the Person to whom I delivered the Substance of the Orders I received from Colonel Hannay.

Q. Did not a similar Order arrive from Colonel Hannay before to the Commandant in the Fort, which he refused to execute?

A. Not to my Knowledge; the Officer commanding in the Fort made no such Report to me that he had.

Q. Was Ahlaud Sing an Officer under you?

A. He was.

Q. Were you not informed by an Affidavit of this very Ahlaud Sing, that an Order from Colonel Hannay had arrived to an Officer called Munnowur Khan, ordering him to put the Rajah Mustapha Cawn to death, and that he declined to execute it, as the said Order was not directed to him, Munnowur Khan?

A. I have heard that there was an Order—that a Letter came from Colonel Hannay to Munnowur Khan; but Munnowur Khan was not an Officer belonging to my Battalion, nor had he any Command in that Fort—he belonged to Major M'Donald.

Q. Was not Ahlaud Sing an Officer in the Fort?

A. Ahlaud Sing was the Officer commanding the Fort.

Q. Then do you not know that Ahlaud Sing had declared that Munnowur Khan had refused to execute that Order, as not being directed to him?

A. Ahlaud Sing told me that Munnowur Khan had shewn him a Letter respecting Mustapha Cawn; but as it was not directed to him, he could not carry it into Effect.

Q. To whom was the Order directed;—do you know?

A. It was directed to Munnowur Khan.

Q. Did not Munnowur Khan refuse to obey it?

A. It was not in the Power of Munnowur Khan to obey it, for he had no Power in the Place to execute the Order.

Q. Then he sent an Order to put this Man to Death to a Man who had no Power to obey him, and who had no Authority in the Fort?

A. I conceive, as the Letter was written in Persian, Colonel Hannay did not direct it himself, and that his Moonshy committed a Mistake, and misdirected it to a wrong Person, for Colonel Hannay must know Munnowur Khan had no Authority in the Place at all.

Q. Then you believe that Colonel Hannay, by Mistake, did direct it to a Man who had no Authority in the Fort,—to whom ought he to have directed it?

A. I suppose Colonel Hannay's Moonshy might have made the Mistake; it ought to have been directed, in order to carry the Order into Effect, to Ahlaud Sing.

Q. Was it to Ahlaud Sing that you sent the Directions to cut off the Head of the Rajah Mustapha Cawn, then a Prisoner in his Custody?

A. I gave the Orders to the Commandant, and he conveyed them, I dare say, as he reported to me, to Ahlaud Sing, who carried the Sentence into Effect.

Q. What Authority had you from Colonel Hannay to do that Act?

A. Repeated, and many Letters were received from Colonel Hannay respecting Mustapha Cawn; repeated Orders sent to me of the Necessity of carrying the Nabob's Orders respecting Mustapha Cawn into Execution:—That he had been a notorious Rebel for Years, and if he was rescued, as there was every Expectation to suppose an Attempt of that Kind would be made, it would make it very difficult for him, even at Satrora, to support his Station.—I am now quoting from Memory the Order which I received many Years ago, and those Letters are not in my Possession;—I placed them upon the Table of the House of Commons, and I have had no Access to them.

Q. Whether it was a formal Order under Hand and Seal, or whether it was in the Course of familiar Epistles?

A. It was such an Order that I could not have been in Safety myself to have disobeyed. As to the Manner of styling them, Colonel Hannay, I know not for what Reason, for I was not upon intimate Terms with him, always addressed, except in One or Two Instances, his Letters to me thus—My Dear Williams, or Dear Sir, in almost all.

Q. Do you know whether Colonel Hannay, in giving you this Order, stated specifically what his Crimes and Offences were, and upon what Process they were proved?

A. Colonel Hannay in his Orders to me expressed that he had such an Order from the Nabob, which he doubtless would keep in his Possession, as his Authority for so doing, for transmitting that Order. As to the specific Charges against Mustapha Cawn of his being a Rebel, it was generally reported to me when he was in Confinement, and under Sentence of Death, when I relieved Major Lumsden.

Q. How do you know that?

A. Colonel Hannay told me so when he gave me his Instructions, at the Time I went from Gungowah to take the Command.

Q. Have you those Instructions to produce?

A. I have not, nor any Orders that Colonel Hannay transmitted to me hardly, that I recollect; for my Papers, a great Number of them, and Books and Furniture, and every Thing I had almost, were left, except a few Things, at Gungowah, in the Bungalow, as I could not procure Carriage, and had lent my own Cattle to bring away the Nabob's Guns. Many Papers, I think, there were, for I took very few in the Hurry and Confusion; my Mind was so much engaged, having no European Officer with me, with the unpleasant and perilous Situation I then stood in, that I did not trouble myself much about the Papers, but just took the First I could in the Hurry and Confusion of a Mutiny.

Q. Being at Goruckpore, upon the Spot, did you enquire concerning the Existence of such a Sentence, or of the Tribunal that pronounced it?

A. No, I did not enquire; I know nothing more than the Order. I never saw Mustapha Cawn in my Life. I do not know, of my own Knowledge, that he was executed; I did not see it; I speak only from the Report that was made to me through the regular Channel from Ahlaud Sing to the Commandant, who reported to me he had been executed, and I have no Doubt it was so.

Q. Whether you do not know this Execution, or putting to Death in this Manner, of Mustapha Cawn, was assigned as one Cause of the great Tumult in one Part of the Country?

A. I do not know that it was assigned. I know the Effect his Execution had upon a Party who were coming to rescue him, that were advanced as far as Buckra, of Seven or Eight hundred Men who were coming for the avowed Intention of rescuing Mustapha Cawn—It was reported by my Hircarras that they were coming to attack me—they retreated immediately, or shortly after, and did not molest me.

Q. Have you not heard, upon the Report of the same Ahlaud Sing, that the Son of the Ranna of Baunsey prepared for Hostilities upon that Account, saying, they have struck off the Head of our Rajah at Goruckpore, and I will be revenged?

A. There must certainly be a Mistake in that Point, which I think I shall be able to make clear to the Court, in Ahlaud Sing. I never heard of this Circumstance represented by Ahlaud Sing in his Affidavit; it was never related to me; the first I ever heard of it was in the Affidavit, and the Mistake I conceive was this: The Rajah of Baunfy, Serajah Sing, was a Hindoo of very high Cast, very antient, I think One of the most antient Families, independant totally, I should conceive, from the Person mentioned as Mustapha Cawn, who was a Mussulman Rajah; and the Place he resided at with his Banditti, was at Namparrah, above 100 Miles from Baunsey: Therefore the Rajah of Baunsey could never have represented Mustapha Cawn as our Rajah.

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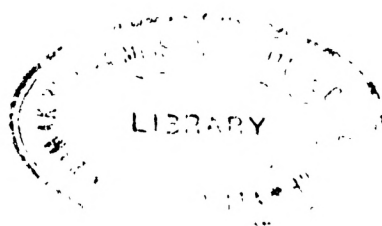
The Managers for the Commons desired the Question and Answer might read.

The same were accordingly read by the Clerk.

The Managers for the Commons objected to the Whole of Captain Williams's Evidence.

The Counsel for the Defendant were heard in Answer to the Objection.

The House adjourned to the Chamber of Parliament.



Bound by

Bharati.

13, Patwardhan Lane,

Date: 6 OCT 1958

